

## **Historic, Archive Document**

Do not assume content reflects current scientific knowledge, policies, or practices.



LEGISLATIVE HISTORY

Public Law 283--82nd Congress

Chapter 108--2nd Session

S. 1851

TABLE OF CONTENTS

|                                        |   |
|----------------------------------------|---|
| Digest of Public Law 283 . . . . .     | 1 |
| Index and Summary of S. 1851 . . . . . | 1 |





## DIGEST OF PUBLIC LAW 283

AN ACT: Amending the Immigration Act of 1917 to assist the Justice Department in preventing the illegal entry of aliens (wetbacks) into the United States and to enable any law-enforcement officer to arrest aliens illegally in the United States.

### INDEX AND SUMMARY OF S. 1851

|                   |                                                                                                                         |
|-------------------|-------------------------------------------------------------------------------------------------------------------------|
| July 13, 1951     | Mr. Kilgore introduced S. 1851 which was referred to the Committee on the Judiciary. Print of the bill as introduced.   |
| February 4, 1952  | Senate committee reported with amendment, S. 1851. (S. Rept. 1145). Print of the bill as reported.                      |
| February 5, 1952  | Senate passed S. 1851 as reported.                                                                                      |
| February 6, 1952  | Referred to the House Committee on Judiciary. Print of bill as referred.                                                |
| February 19, 1952 | House Committee on Judiciary reported S. 1851 without amendment. (H. Rept. 1377). Print of the bill as reported.        |
| February 21, 1952 | House Rules Committee reported H. Res. 529 for the consideration of S. 1851. Print of the House Resolution as reported. |
| February 25, 1952 | Completed general debate on S. 1851.                                                                                    |
| February 26, 1952 | House passed S. 1851 with amendments.                                                                                   |
| February 28, 1952 | Senate conferees appointed.                                                                                             |
| March 4, 1952     | House Conferees appointed.                                                                                              |
| March 10, 1952    | Senator Murray inserted a speech by Secretary of Labor Tobin favoring the bill, S. 1851.                                |
| March 11, 1952    | Received Conference Report. (H. Rept. 1505) Print of report.                                                            |
| March 13, 1952    | Both Houses agreed to the conference report on S. 1851.                                                                 |
| March 20, 1952    | Approved: Public Law 283 - 82nd Congress                                                                                |







82D CONGRESS  
1ST SESSION

# S. 1851

## IN THE SENATE OF THE UNITED STATES

JULY 13 (legislative day, JUNE 27), 1951

Mr. KILGORE introduced the following bill; which was read twice and referred to the Committee on the Judiciary

## A BILL

To assist in preventing aliens from entering or remaining in the United States illegally.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 That section 8 of the Immigration Act of 1917 (8 U. S. C.

4 144) is amended to read as follows:

5 "SEC. 8. (a) Any person, including the owner, oper-

6 ator, pilot, master, commanding officer, agent, or consignee

7 of any means of transportation who—

8 . " (1) brings into or lands in the United States,

9 by any means of transportation or otherwise, or at-

10 tempts, by himself or through another, to bring into

including a law belonging to the Department of Justice

1 or land in the United States, by any means of trans-  
2 portation or otherwise; or

3 “(2) in furtherance of a violation by himself or  
4 another of paragraph (1) of this subsection, transports  
5 or moves, or attempts to transport or move, within the  
6 United States, by means of transportation or otherwise;  
7 or

8 “(3) conceals, harbors, or shields from detection,  
9 or attempts to conceal, harbor, or shield from detection  
10 in any place, including any building or any means of  
11 transportation; or

12 “(4) encourages or induces, or attempts to encour-  
13 age or induce, either directly or indirectly, the entry into  
14 the United States of,

15 any alien, including an alien crewman, not duly admitted  
16 by an immigration officer or not lawfully entitled to enter or  
17 to reside within the United States under the terms of this  
18 Act or any other law relating to the immigration or ex-  
19 pulsion of aliens, shall be guilty of a felony, and upon con-  
20 viction thereof shall be punished by a fine not exceeding  
21 \$2,000 or by imprisonment for a term not exceeding five  
22 years or both for each alien in respect to whom any violation  
23 of this section occurs.

24 “(b) Any employee of the Immigration and Naturali-  
25 zation Service authorized and designated under regulations



1 prescribed by the Attorney General, whether individually or  
2 as one of a class, shall have power and authority while wear-  
3 ing his official insignia or presenting his official credentials  
4 and engaged in the performance of his duties in the admin-  
5 istration of laws relating to the immigration and expulsion  
6 of aliens, to go upon or within any place of employment  
7 other than a dwelling, within or upon which he believes there  
8 are aliens who are illegally within the United States, for  
9 the purpose of interrogating such aliens concerning their  
10 right to be or remain in the United States."

82d CONGRESS  
1ST SESSION

**S. 1851**

---

---

# **A BILL**

To assist in preventing aliens from entering or remaining in the United States illegally.

---

---

By Mr. KILGORE

---

---

JULY 13 (legislative day, JUNE 27), 1951

Read twice and referred to the Committee on the  
Judiciary







ASSISTING IN PREVENTING ALIENS FROM ENTERING OR  
REMAINING IN THE UNITED STATES ILLEGALLY

FEBRUARY 4 (legislative day, JANUARY 10), 1952.—Ordered to be printed

Mr. KILGORE, from the Committee on the Judiciary, submitted the  
following

## REPORT

[To accompany S. 1851]

The Committee on the Judiciary, to which was referred the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally; having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

## AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144), is hereby amended to read:

"Sec. 8. (a) Any person, including the owner, operator, pilot, master, commanding officer, agent or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise;

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States occurred less than three years prior thereto, transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) willfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means of transportation; or

"(4) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this Act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding five years, or both, for each alien in respect to whom any violation of this subsection occurs: *Provided, however,* That for the purposes of this section, employment (including the usual and normal

practices incident to employment) shall not be deemed to constitute harboring.

"(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than thirty days."

SEC. 2. The last proviso to the paragraph headed "Bureau of Immigration" in title IV of the Act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the Act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

"(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of twenty-five miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and"

#### PURPOSE OF THE BILL

The purpose of the bill, as amended, is to overcome a deficiency in the present law by making it an offense to harbor or conceal aliens who have entered this country illegally, and to strengthen the law generally in preventing aliens from entering or remaining in the United States illegally.

#### STATEMENT

While section 8 of the Immigration Act of 1917 (8 U. S. C. 144), purports to make it an offense to harbor or conceal aliens who have entered this country illegally, the Supreme Court in *United States v. Evans* (333 U. S. 483), held that the existing statute does not provide a penalty for such an offense. The instant bill, as amended, corrects this deficiency and provides upon conviction a fine not exceeding \$2,000 or imprisonment for a term not exceeding 5 years, or both.

The bill as initially introduced, also provided that any—

employee of the Immigration and Naturalization Service authorized and designated under regulations prescribed by the Attorney General, whether individually or as one of a class, shall have power and authority while wearing his official insignia or presenting his official credentials and engaged in the performance of his duties in the administration of laws relating to the immigration and expulsion of aliens, to go upon or within any place of employment other than a dwelling within or upon which he believes there are aliens who are illegally within the United States, for the purpose of interrogating such aliens concerning their right to be or remain in the United States.

The bill, as amended, substitutes for the above-quoted language of the bill as initially introduced an administrative search warrant procedure which reads as follows:

(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the

immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than thirty days.

It is the intention of the committee that there shall not be more than one assistant district director in any district who may issue administrative warrants. On the Mexican border where there are three districts of the Immigration and Naturalization Service, there will be three district directors and three assistant district directors who will be authorized to issue administrative warrants, making a total of six officials who will be so authorized. It is felt that the administrative search warrant procedure as provided in the bill will be conducive to effective enforcement of the immigration laws but will at the same time safeguard the rights of the property owners.

The bill, as amended, also strengthens the enforcement procedures of the Immigration and Naturalization Service by amending present law so that enforcement officers may, within a distance of 25 miles from any external boundary of the United States, have access to private lands but not dwellings for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States.

The bill, as amended, also provides that employment (including the usual and normal practices incident to employment) of an alien illegally in the United States shall not be deemed to constitute harboring. It is the intention of the committee that this will not, however, preclude prosecution of an employer who violates other provisions of the act.

The committee, after consideration of all of the facts, is of the opinion that the bill (S. 1851), as amended, should be enacted.

#### CHANGES IN THE PRESENT LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown in the following parallel tables (existing law is shown in one column; proposed law is shown in the parallel column):

##### EXISTING LAW

BRINGING IN OR HARBORING OR CONCEALING CERTAIN ALIENS; PENALTY

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this

##### PROPOSED LAW

That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144), is hereby amended to read:

"Sec. 8. (a) Any person, including the owner, operator, pilot, master, commanding officer, agent or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise;

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States oc-



## EXISTING LAW

Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not exceeding five years, for each and every alien so landed or brought in or attempted to be landed or brought in.

## PROPOSED LAW

curred less than three years prior thereto, transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) wilfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means of transportation; or"

"(4) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this Act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding five years, or both, for each alien in respect to whom any violation of this subsection occurs: *Provided, however,* That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

"(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of

EXISTING LAW

(ACT APPROVED AUGUST 7, 1946 (60 STAT. 865; 8 U. S. C. 110)) (AMENDING THE ACT OF FEBRUARY 27, 1925)

Any employee of the Immigration and Naturalization Service authorized so to do under regulations prescribed by the Commissioner of Immigration and Naturalization with the approval of the Attorney General, shall have power without warrant (1) \* \* \* (2) to board and search for aliens any vessel within the territorial waters of the United States, railway car, aircraft, conveyance, or vehicle, within a reasonable distance from any external boundary of the United States; and

PROPOSED LAW

day or night for its use and the period of its validity which in no case shall be for more than thirty days."

SEC. 2. The last proviso to the paragraph headed "Bureau of Immigration" in title IV of the Act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the Act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

"(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of twenty-five miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and"

○





**S. 1851**

[Report No. 1145]

---

IN THE SENATE OF THE UNITED STATES

JULY 13 (legislative day, JUNE 27), 1951

Mr. KILGORE introduced the following bill; which was read twice and referred to the Committee on the Judiciary

FEBRUARY 4 (legislative day, JANUARY 10), 1952

Reported by Mr. KILGORE, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

---

**A BILL**

To assist in preventing aliens from entering or remaining in the United States illegally.

1     *Be it enacted by the Senate and House of Representa-*  
2     *tives of the United States of America in Congress assembled,*  
3     That section 8 of the Immigration Act of 1917 (8 U. S. C.  
4     144) is amended to read as follows:

5     “SEC. 8. (a) Any person, including the owner, oper-  
6     ator, pilot, master, commanding officer, agent, or consignee  
7     of any means of transportation who—

8     “(1) brings into or lands in the United States,  
9     by any means of transportation or otherwise, or at-  
10    tempts, by himself or through another, to bring into

1 or land in the United States, by any means of trans-  
2 portation or otherwise; or

3 “~~(2)~~ in furtherance of a violation by himself or  
4 another of paragraph ~~(1)~~ of this subsection, transports  
5 or moves, or attempts to transport or move, within the  
6 United States, by means of transportation or otherwise;  
7 or

8 “~~(3)~~ conceals, harbors, or shields from detection,  
9 or attempts to conceal, harbor, or shield from detection  
10 in any place, including any building or any means of  
11 transportation; or

12 “~~(4)~~ encourages or induces, or attempts to encour-  
13 age or induce, either directly or indirectly, the entry into  
14 the United States of,

15 any alien, including an alien crewman, not duly admitted  
16 by an immigration officer or not lawfully entitled to enter or  
17 to reside within the United States under the terms of this  
18 Act or any other law relating to the immigration or ex-  
19 pulsion of aliens, shall be guilty of a felony, and upon con-  
20 viction thereof shall be punished by a fine not exceeding  
21 \$2,000 or by imprisonment for a term not exceeding five  
22 years or both for each alien in respect to whom any violation  
23 of this section occurs.

24 “~~(b)~~ Any employee of the Immigration and Naturali-  
25 zation Service authorized and designated under regulations

1 prescribed by the Attorney General, whether individually or  
 2 as one of a class, shall have power and authority while wear-  
 3 ing his official insignia or presenting his official credentials  
 4 and engaged in the performance of his duties in the admin-  
 5 istration of laws relating to the immigration and expulsion  
 6 of aliens, to go upon or within any place of employment  
 7 other than a dwelling, within or upon which he believes there  
 8 are aliens who are illegally within the United States, for  
 9 the purpose of interrogating such aliens concerning their  
 10 right to be or remain in the United States."

11 *That section 8 of the Immigration Act of 1917 (39 Stat.*  
 12 *880; 8 U. S. C. 144), is hereby amended to read:*

13 "SEC. 8. (a) *Any person, including the owner, operator,*  
 14 *pilot, master, commanding officer, agent, or consignee of any*  
 15 *means of transportation who—*

16 " (1) *brings into or lands in the United States, by*  
 17 *any means of transportation or otherwise, or attempts, by*  
 18 *himself or through another, to bring into or land in the*  
 19 *United States, by any means of transportation or other-*  
 20 *wise;*

21 " (2) *knowing that he is in the United States in vio-*  
 22 *lation of law, and knowing or having reasonable grounds*  
 23 *to believe that his last entry into the United States oc-*  
 24 *curred less than three years prior thereto, transports, or*  
 25 *moves, or attempts to transport or move, within the United*

1       *States by means of transportation or otherwise, in*  
2       *furtherance of such violation of law;*

3           “(3) *willfully or knowingly conceals, harbors, or*  
4       *shields from detection, or attempts to conceal, harbor, or*  
5       *shield from detection, in any place, including any build-*  
6       *ing or any means or transportation; or*

7           “(4) *willfully or knowingly encourages or induces,*  
8       *or attempts to encourage or induce, either directly or*  
9       *indirectly, the entry into the United States of any alien,*  
10       *including an alien seaman, not duly admitted by an*  
11       *immigration officer or not lawfully entitled to enter or*  
12       *reside within the United States under the terms of this*  
13       *Act or any other law relating to the immigration or*  
14       *expulsion of aliens, shall be guilty of a felony, and upon*  
15       *conviction thereof shall be punished by a fine not exceed-*  
16       *ing \$2,000 or by imprisonment for a term not exceeding*  
17       *five years, or both, for each alien in respect to whom*  
18       *any violation of this subsection occurs: Provided, how-*  
19       *ever, That for the purposes of this section, employment*  
20       *(including the usual and normal practices incident to*  
21       *employment) shall not be deemed to constitute harboring.*

22           “(b) *No officer or person shall have authority to*  
23       *make any arrest for a violation of any provision of this*  
24       *section except officers and employees of the United*  
25       *States Immigration and Naturalization Service desig-*



1       nated by the Attorney General, either individually or as  
2       a member of a class, and all other officers of the United  
3       States whose duty it is to enforce criminal laws.

4       “(c) When the Attorney General or any district director  
5       or any assistant district director of the Immigration and  
6       Naturalization Service has information indicating a reason-  
7       able probability that in any designated lands or other prop-  
8       erty aliens are illegally within the United States, he may  
9       issue his warrant authorizing the immigration officer named  
10      therein to go upon or within such designated lands or other  
11      property other than a dwelling in which the warrant states  
12      there may be aliens illegally within the United States, for the  
13      purpose of interrogating such aliens concerning their right to  
14      enter or to be or remain in the United States. Such warrant  
15      shall state therein the time of day or night for its use and the  
16      period of its validity which in no case shall be for more than  
17      thirty days.”

18      SEC. 2. The last proviso to the paragraph headed  
19      “Bureau of Immigration” in title IV of the Act of February  
20      27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by  
21      the Act of August 7, 1946 (60 Stat. 865), is hereby further  
22      amended so that clause numbered (2) shall read:

23           “(2) within a reasonable distance from any external  
24           boundary of the United States, to board and search for  
25           aliens any vessel within the territorial waters of the

1        *United States and any railway car, aircraft, convey-*  
2        *ance, or vehicle, and within a distance of twenty-five*  
3        *miles from any such external boundary to have access to*  
4        *private lands, but not dwellings, for the purpose of*  
5        *patrolling the border to prevent the illegal entry of aliens*  
6        *into the United States, and”.*





82<sup>ND</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1851**

[Report No. 1145]

---

---

**A BILL**

To assist in preventing aliens from entering or  
remaining in the United States illegally.

---

---

By Mr. KIRGORE

---

---

JUNE 13 (legislative day, JUNE 27), 1951  
Read twice and referred to the Committee on the  
Judiciary

FEBRUARY 4 (legislative day, JANUARY 10), 1952  
Reported with an amendment

# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued February 5, 1952

For actions of February 4, 1952

82nd-2nd, No. 17

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

## CONTENTS

|                                   |                                     |                                  |
|-----------------------------------|-------------------------------------|----------------------------------|
| Administrative procedures.....25  | Fats and oils.....28                | Personnel....5, 20, 24, 26, 34   |
| Agricultural exports.....18       | Foreign affairs, aid.....23, 33     | Prices, farm.....6               |
| Appropriations.....38             | Forests and forestry.....9          | Reports.....16                   |
| Auditing.....15                   | Grain storage.....2, 8              | Roads.....22                     |
| Budgeting.....37                  | Labor, farm.....3                   | Sheep industry.....3             |
| C.C.C.....2, 8                    | Lands.....9, 10, 21, 30             | Small business.....12            |
| Commendation.....38               | reclamation.....4                   | Soil conservation.....32         |
| Committee.....13                  | Loans, farm.....19, 30              | Taxation.....28                  |
| Cotton.....6, 18                  | Minerals.....7, 21                  | Territories and                  |
| Electrification, rural.....31, 35 | Monopolies.....11                   | possessions.....1, 15            |
| Expenditures.....36               | Organization, executive... ..17, 29 | Transportation.....35            |
| Farm production.....18            | Paper.....11                        | Water utilization.....14, 27, 29 |

**HIGHLIGHTS:** Senate committee employed accounting firm to investigate CCC. House subcommittee issued report on CCC investigation. Senate Committee reported bill to assist in preventing wetback entry. **SENATE**

- 1. ALASKA STATEHOOD.** Continued debate on S. 50, to provide for admission of Alaska into the Union. A considerable part of the discussion was on the agricultural potentialities of the Territory. (pp. 761-78.)
- 2. CCC INVESTIGATION.** The "Daily Digest" states that on February 1 the Agriculture and Forestry Committee "authorized Senators Ellender and Aiken to employ the accounting firm of Price Waterhouse & Co. to direct an investigation of the Commodity Credit Corporation and related matters" (p. D69).
- 3. FARM LABOR.** The Judiciary Committee reported with amendment S. 1851, to assist in preventing aliens from entering or remaining in the U. S. illegally (S. Rept. 1145)(p. 753).  
This Committee reported without amendment S. 2549, to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders (S. Rept. 1151)(p. 753).
- 4. RECLAMATION.** The Interior and Insular Affairs Committee reported without amendment H. R. 2398, to amend the Vermejo reclamation project law so as to remove the requirement that a contract be entered into with a State agency having the power to tax personal property (S. Rept. 1144)(p. 753).
- 5. PERSONNEL TRAINING.** Received from the Civil Service Commission a proposed bill to increase the efficiency of the Federal Government by improving the training of Federal civilian officers and employees; to Post Office and Civil Service Committee (p. 751).
- 6. COTTON PRICES.** Received from the S. C. Legislature a request that Congress guarantee to cotton farmers a minimum price of 40 cents per pound for cotton from the 1952 crop (p. 753).

7. METAL SHORTAGE. Sen. Ferguson claimed that the International Materials Conference is preventing domestic industries from getting their rightful share of scarce copper, etc. (pp. 759-61).

#### HOUSE

8. CCC INVESTIGATION. The Agriculture Subcommittee of the Appropriations Committee issued an unnumbered committee print of a report, "Investigation of Warehousing Practices, Commodity Credit Corporation." Although the report will not be made available in the usual way, the Department has arranged to receive a special supply from GPO. Copies of the report and the hearings will be available in this office (Ext. 4654, Rm. 105A), probably today.
9. FOREST LANDS. Passed without amendment H. R. 4199, to authorize the transfer of lands from the jurisdiction of the Secretary of the Interior, acquired for the Blue Ridge Parkway, to the Secretary of Agriculture for national forest purposes (p. 787).
10. RESEARCH LANDS. Passed without amendment H. R. 4686, authorizing the transfer of certain lands in the Robinson Remount Station, Nebr., to the city of Crawford, Nebr. (p. 787).
11. PAPER; MONOPOLIES. The Subcommittee on Study of Monopoly Power, Judiciary Committee, submitted a report entitled "Pulp" (H. Rept. 505, part II) (p. 793).
12. SMALL BUSINESS. The Small Business Committee submitted a report entitled "Fair Trade: The Problem of the Issues" (H. Rept. 1292) (p. 793).
13. COMMITTEE. Rep. Osmer, N. J., was elected to the Expenditures in Executive Departments Committee (p. 781).
14. WATER UTILIZATION. Passed over without prejudice, on a call of the Consent Calendar, H. R. 2131, to authorize the Secretary of Interior to investigate and report to the Congress on the conservation, development, and utilization of the water resources of Hawaii (p. 784).
15. AUDITING. Received from GAO audit reports on the Virgin Islands Corporation and the Public Housing Administration, fiscal year 1951 (H. Docs. 338, 339) (p. 792).
16. REPORTS. Received from GSA a report on contracts negotiated for experimental, developmental, or research work and for the manufacturing or furnishing of supplies for experimentation, development, research, or test (p. 792).
17. REORGANIZATION. Rep. Curtis, Mo., spoke in favor of his bill, H. R. 6364, to repeal the Reorganization Act of 1949 (pp. 791-2).

#### BILLS INTRODUCED

18. AGRICULTURAL EXPORTS. S. 2579, by Sen. Eastland, relating to export controls on agricultural commodities; to Banking and Currency Committee (p. 754). Sen. Eastland said the purpose of the bill is to "make definite and certain that where the Government announces a production goal for a crop and the farmers in good faith try to meet the goal and come within 15 percent of the designated goal, export quotas cannot be invoked." He cited the 1950 and 1951 cotton crops of examples of the problem involved. (pp. 754-5.)



ing to the waters of the Arkansas and Red Rivers and their tributaries; to the Committee on Public Works.

By Mr. SALTONSTALL:

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on the Judiciary:

"Resolutions relative to an investigation by the President of the United States for a complete investigation of criminal acts against minority groups in the State of Florida

"Whereas there have been many criminal acts of violence committed against minority groups, including the fatal bombing of Harry T. Moore, in the State of Florida; and

"Whereas such acts of violence and terrorism constitute a threat to the internal order and security of the United States and an invasion of the constitutional rights of the people: Therefore be it

"Resolved, That it is the sense of the House of Representatives of the Commonwealth of Massachusetts that the President should direct all appropriate departments and agencies of the United States (1) to conduct a full and complete investigation of the recent series of criminal acts against minority groups in the State of Florida, which culminated with the fatal bombing of Harry T. Moore, (2) to utilize all means to prosecute the persons responsible for such criminal acts, and (3) to take all other steps to prevent the spread of such acts of violence and terrorism in order to eliminate the threat to the internal order and security of the United States and the invasion of the constitutional rights of its people caused by such acts; and be it further

"Resolved, That a copy of these resolutions be forwarded by the State Secretary to the President of the United States, and to all Members of Congress from this Commonwealth."

By Mr. JOHNSTON of South Carolina:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Agriculture and Forestry:

"Concurrent resolution memorializing Congress to guarantee to the cotton farmers of America a minimum price of 40 cents per pound for cotton from the 1952 cotton crop

"Whereas the Nation produced a bumper cotton crop during the year 1951 of approximately 15,700,000 bales, and

"Whereas in April of 1951 the price of cotton was about 43 cents a pound; and

"Whereas the price declined to only 38 cents a pound in September of the same year, resulting in a staggering loss to those farmers who disposed of their cotton at the low figure; and

"Whereas the price has since risen to about 42 cents per pound but too late to help those whose cotton had not been held; and

"Whereas the United States Department of Agriculture is not citing the necessity for another bumper crop duplicating the production of 1951; and

"Whereas it is greatly feared that another such crop as that of 1951 will result directly in another financial loss to the farmers, many of whom are gravely concerned and fear the advisability of continuing the planting of cotton; and

"Whereas if these fears crystalize into a general failure to plant cotton the Nation and the world will be confronted with a serious shortage of cotton products so greatly needed for our economic stability and our national security; and

"Whereas this threat can be diverted and the danger allayed by definite and positive action by the Congress of the United States now by assuring the farmers of America a minimum price of 40 cents per pound for their 1952 cotton crop: Now, therefore, be it

"Resolved by the house of representatives (that the senate concurring), That Congress be memorialized to act immediately to divert what may develop into a crisis and guarantee to the farmers of America a minimum price of at least 40 cents per pound for their entire cotton crop for the year 1952."

#### AMENDMENT OF IMMIGRATION LAWS RELATING TO IMPORTATION OF CERTAIN AGRICULTURAL WORKERS

Mr. LANGER. Mr. President, I present for appropriate reference a letter from Carl F. Fryhling, State director, North Dakota State Employment Service, and a resolution adopted by the governor's State farm labor committee at the Governor's office, January 29, 1952, Bismarck, N. Dak. I ask unanimous consent that the letter and resolution be printed in the RECORD, together with a list of the names of the governor's advisory committee.

There being no objection, the letter and resolution were referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, together with a list of the names of the advisory committee, as follows:

##### NORTH DAKOTA

STATE EMPLOYMENT SERVICE,

Bismarck, N. Dak., January 31, 1952.

Hon. WILLIAM LANGER,

Senator from North Dakota,

Senate Office Building,

Washington, D. C.

DEAR SENATOR LANGER: We are enclosing a resolution adopted by the governor's State farm labor committee at their meeting on January 29, 1952, held at the governor's office in Bismarck.

It was the consensus of the committee that it is extremely important that the present agreement with Mexico, which provides for the importation of Mexican nationals for agricultural work, be extended and that legislation necessary for the extension of this agreement be passed by Congress as soon as possible.

The committee urges that you act favorably on pending legislation and do everything possible to expedite the passage of favorable legislation.

Very truly yours,

CARL F. FRYHLING,

State Director.

#### RESOLUTION ADOPTED BY NORTH DAKOTA STATE FARM LABOR COMMITTEE JANUARY 29, 1952, BISMARCK, N. DAK.

Whereas planned sugar beet acreage in North Dakota during 1952 will require approximately 3,000 workers for thinning and blocking; and

Whereas the supply of domestics for this work will be inadequate and that it will be necessary to supplement the supply of domestic workers with Mexican nationals; and

Whereas the present agreement between the United States and Mexico which provides for legal entry of Mexican nationals into the United States for agricultural work will expire February 11, 1952, and it being our understanding that no further agreement with Mexico will be validated until such time as present United States immigration laws are amended to provide proper enforcement agencies with legal authority to restrict the traffic of foreigners who gain illegal entry into the United States: Now, therefore, be it

Resolved, That the governor's state farm labor committee urge the United States Congress now in session take immediate and necessary action to amend and clarify section 8 of the Immigration Act of 1917 in or-

der that there might be proper enforcement of immigration laws pertaining to the harboring and/or employment of foreigners who have gained entry into the United States illegally.

Governor's Farm Labor Advisory Committee: Governor Norman Brunsdale, Chairman; P. J. Donnelly, President, North Dakota Farm Bureau, Grafton, N. Dak.—Alternate: Mr. Albert Sinner, Casselton, N. Dak.; Math Dahl, Commissioner, Department of Agriculture and Labor, Capitol Building, Bismarck, N. Dak.; Glen J. Talbott, President, North Dakota Farmers Union, Jamestown, N. Dak.; John R. McClung, State Director, Farmers Home Administration, Federal Building, Bismarck, N. Dak.; E. J. Haslerud, Director, North Dakota Extension Service, State College Station, Fargo, N. Dak.; Brig. Gen. Heber L. Edwards, Director, Selective Service System, Fraine Barracks, Bismarck, N. Dak.; M. F. Peterson, Superintendent, Department of Public Instruction, Capitol Building, Bismarck, N. Dak.; John E. Kasper, Chairman, State Committee, PMA, deLendrecie Building, Fargo, N. Dak.—Alternate: Mr. John Bruns, State PMA Committeeman, Fargo, N. Dak.; Carl F. Fryhling, State Director, North Dakota State Employment Service, 305½ Broadway, Bismarck, N. Dak.; Arthur Nelson, Northwood, N. Dak.; Dave M. Robinson, Coleharbor, N. Dak.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

S. J. Res. 20. Joint resolution to provide for the continuation of operations under certain mineral leases issued by the respective States covering submerged lands of the Continental Shelf, to encourage the continued development of such leases, to provide for the protection of the interests of the United States in the oil and gas deposits of said lands, and for other purposes; with amendments (Rept. No. 1143).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs:

H. R. 2398. A bill to amend Public Law 848, Eighty-first Congress, second session; without amendment (Rept. No. 1144).

By Mr. KILGORE, from the Committee on the Judiciary:

S. 1851. A bill to assist in preventing aliens from entering or remaining in the United States illegally; with an amendment (Rept. No. 1145).

By Mr. McCARRAN, from the Committee on the Judiciary, without amendment:

S. 1192. A bill for the relief of Demetrius Alexander Jordan (Rept. No. 1146);

S. 1637. A bill for the relief of Doreen Iris Neal (Rept. No. 1148);

S. 2150. A bill for the relief of Joachim Nemitz (Rept. No. 1149);

S. 2199. A bill to amend the Contract Settlement Act of 1944 and to abolish the Appeal Board of the Office of Contract Settlement (Rept. No. 1150);

S. 2549. A bill to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders (Rept. No. 1151);

S. 2566. A bill for the relief of Niccolo Luvisotti (Rept. No. 1152); and

H. R. 4130. A bill for the relief of Caroline Wu (Rept. No. 1153).

By Mr. McCARRAN, from the Committee on the Judiciary, with an amendment:

S. 1470. A bill for the relief of Panagiotis Roumeliotis (Rept. No. 1147);

S. 1833. A bill for the relief of Barbara Jean Takada (Rept. No. 1154); and



S. 2149. A bill to confer Federal jurisdiction to prosecute certain common-law crimes of violence when such crimes are committed on American airplane in flight over the high seas or over waters within the admiralty and maritime jurisdiction of the United States (Rept. No. 1155).

By Mr. SMITH of North Carolina, from the Committee on the Judiciary:

S. 1331. A bill to further implement the full faith and credit clause of the Constitution; with amendments (Rept. No. 1156).

By Mr. O'CONOR, from the Committee on the Judiciary:

S. 2214. A bill to amend section 709 of title 18 of the United States Code; with an amendment (Rept. No. 1157).

#### REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation six lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

#### BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSTON of South Carolina:

S. 2574. A bill to authorize the cancellation, adjustment, and collection of certain obligations due the United States, and for other purposes; to the Committee on Agriculture and Forestry.

S. 2575. A bill to amend section 604 (b) of the Classification Act of 1949; to the Committee on Post Office and Civil Service. (See the remarks of Mr. JOHNSTON of South Carolina when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. HENNINGS:

S. 2576. A bill for the relief of Perry Lee Vance; and

S. 2577. A bill for the relief of Mikio Abe; to the Committee on the Judiciary.

S. 2578. A bill to provide veterans' benefits for commissioned officers of the Public Health Service who served on active duty during World War II and subsequent to November 11, 1943; to the Committee on Labor and Public Welfare.

By Mr. EASTLAND:

S. 2579. A bill relating to export controls on agricultural commodities; to the Committee on Banking and Currency.

(See the remarks of Mr. EASTLAND when he introduced the above bill, which appear under a separate heading.)

By Mr. RUSSELL (by request):

S. 2580. A bill to amend the Dependents Assistance Act of 1950, to provide punishment for fraudulent acceptance of benefits thereunder;

S. 2581. A bill to amend the Army-Navy Medical Services Corps Act of 1947 (61 Stat. 734), as amended, so as to authorize the appointment of a Chief of the Medical Service Corps of the Navy, and for other purposes; and

S. 2582. A bill to authorize and direct the Secretary of the Army to convey the sand, gravel, and clay deposits in and on a certain tract or parcel of land in Russell County, Ala., to W. T. Heard; to the Committee on Armed Services.

S. 2583. A bill for the relief of certain members of the naval service, with respect to shipments of household effects; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado (for himself and Mr. MILLIKIN):

S. 2584. A bill to provide for the establishment of a Veterans' Administration domiciliary facility at Fort Logan, Colo.; to the Committee on Finance.

By Mr. McKELLAR:

S. 2585. A bill to amend the laws relating to the construction of Federal-aid highways to provide for equality of treatment of railroads and other public utilities with respect to the cost of relocation of utility facilities necessitated by the construction of such highways; to the Committee on Public Works.

By Mr. MAGNUSON (by request):

S. 2586. A bill for the relief of Kim Dong Su; to the Committee on the Judiciary.

By Mr. MOODY:

S. 2587. A bill for the relief of Sebastiano Bello, Dino Bianchi, Pierino Cicarese, Vincenzo Dal'Aida, Vittorio De Gasperi, Salvatore Puggioni, Giovanni Battista Volpato, and Leone Montini; to the Committee on the Judiciary.

By Mr. LEHMAN:

S. 2588. A bill for the relief of Dulcie Ann Steinhart Sherlock; to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. J. Res. 126. Joint resolution authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. MOODY:

S. J. Res. 127. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

(See the remarks of Mr. Moody when he introduced the above joint resolution, which appear under a separate heading.)

#### AMENDMENT OF CLASSIFICATION ACT OF 1949, RELATING TO COMPENSATION OF CERTAIN EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, I introduce for appropriate reference a bill to amend section 604 (b) of the Classification Act of 1949. I ask unanimous consent that a statement by me explaining the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 2575) to amend section 604 (b) of the Classification Act of 1949, introduced by Mr. JOHNSTON of South Carolina, was read twice by its title, and referred to the Committee on Post Office and Civil Service.

The statement by Mr. JOHNSTON of South Carolina is as follows:

#### STATEMENT BY SENATOR JOHNSTON OF SOUTH CAROLINA

The United States Civil Service Commission by order dated August 18, 1951, has provided that certain employees in positions downgraded after said date might continue to be paid basic compensation but without additional step increases. The proposed bill would make continued payment of basic compensation in such instances mandatory and would provide for payment of step increases to such employees. It would also afford relief to several groups of downgraded employees who were exempted from the Commission order.

The step rates provided for each grade on the salary schedule were intended to provide an incentive for improved performance. A

partial incentive in recruitment, and compensation for the increased productivity of more experienced employees. Each step is intended to represent a reasonable increase in the value of the employee to the civil service, and it is to the interest of the service that such increases be earned and granted. Increased employee satisfaction, increased productivity at lower costs, production with fewer employees, lessened recruiting and training costs for replacements, and the presence of seasoned groups of employees on whom more responsibility can be placed are all factors which warrant the increases in payroll costs involved. Failures to provide incentive goals in the way of step increases for certain groups of employees are not conducive to employee morale.

Passage of the proposed bill will enable the various Government agencies to comply more fully with the spirit and intent of section 9 (b) of the Selective Service Act of 1948, which provides that a returning serviceman if still qualified to perform the duties of his old position must be restored to such old position or one of like seniority, status, and pay. Under present procedure an employee returning from military service to a position which has been downgraded is restored to the grade and pay for 30 days then is reduced in grade and pay in accordance with existing regulations. Surely this is not the reward which an employee returning from a period of military service, service which has usually been rendered at a financial loss, might reasonably expect from a just employer.

Failure to provide incentive goals for any group of employees must necessarily result in the better qualified of those employees seeking other positions. For example: the number of registration officers in the Veterans' Administration who have left the Government since the registration officer position has been downgraded has been alarmingly high. As new employees not so well qualified to do the job are employed, the quality of work tends to deteriorate and more employees have to be added. Over the long term the Government instead of reducing expenses will find that it is burdened with added expenses.

#### EXPORT CONTROLS ON AGRICULTURAL COMMODITIES

Mr. EASTLAND. Mr. President, I introduce for appropriate reference a bill relating to export controls on agricultural commodities. I ask unanimous consent that I may be permitted to make a brief statement concerning the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the Senator from Mississippi may proceed.

The bill (S. 2579) relating to export controls on agricultural commodities, introduced by Mr. EASTLAND, was read twice by its title, and referred to the Committee on Banking and Currency.

Mr. EASTLAND. Mr. President, the bill which I have introduced amends the Export Control Act of 1949 which provides that whenever the production of any agricultural commodity, during any marketing year, exceeds 85 percent of the production goal established for such commodity by the President or the Secretary of Agriculture, the authority to impose export controls shall not be exercised except to nations designated as unfriendly.

The purpose of this amendment is manifest. I give an outstanding example: The Department of Agriculture, in 1951, asked the cotton farmers to produce a 16,000,000-bale cotton crop.







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued February 6, 1952

For actions of February 5, 1952  
82nd-2nd, No. 18

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

## CONTENTS

|                          |       |                             |    |                        |    |
|--------------------------|-------|-----------------------------|----|------------------------|----|
| A.A. Act of 1936.....    | 15    | Emergency controls.....     | 9  | Peanuts.....           | 15 |
| Appropriations.....      | 7,10  | Expenditures.....           | 21 | Personnel.....         | 13 |
| B.A.E.....               | 17    | Extension work.....         | 6  | Rice.....              | 4  |
| Budgeting.....           | 10    | Grain storage.....          | 2  | Small business.....    | 20 |
| C.C.C.....               | 2     | Import controls.....        | 19 | Taxation.....          | 16 |
| Commodity exchanges..... | 8     | Labor, farm.....            | 1  | Transportation.....    | 22 |
| Cotton.....              | 18    | Land's.....                 | 5  | Trade, foreign.....    | 19 |
| Defense production.....  | 9     | Legislative procedures..... | 23 | Water utilization..... | 12 |
| Education.....           | 14    | Machinery, farm.....        | 16 | Wool.....              | 3  |
| Electrification.....     | 11,22 | Minerals.....               | 5  |                        |    |

HIGHLIGHTS: Senate passed bill to assist in preventing entry of wetbacks. Sen. Williams criticized administration of CCC grain storage program. Sen. Maybank introduced and discussed bill to extend Defense Production Act. Sen. Jenner introduced and discussed bill to require uniform discounts for future and cash markets on commodity exchanges. Sen. O'Mahoney submitted monograph on program to stimulate wool production.

## SENATE

1. ALIEN ENTRY. Passed as reported S. 1851, to strengthen the authority of the Justice Department in preventing aliens from entering or remaining in the U. S. illegally. Sen. Kilgore explained that the bill was largely aimed at the Mexican "wetback" problem and that the Mexican government was in favor of the bill as a preliminary to the continuation of the agreement for entry of temporary laborers from that country. (pp. 802-11, 813-24.) Rejected, 12-69, a Douglas amendment making it a felony to employ an alien illegally in the U. S. when the employer had actual or constructive knowledge of the facts (pp. 808-22). Also rejected a Douglas amendment making it a felony to employ such a person when the employer had actual knowledge (pp. 822-4).
2. CCC GRAIN STORAGE. Sen. Williams strongly criticized various aspects of administration of the CCC grain-storage program and denied that his amendment had interfered with CCC operations (pp. 826-30).
3. WOOL PRODUCTION. Sen. O'Mahoney submitted a monograph regarding a program to stimulate the production of domestic wool, which was ordered printed as S. Doc. 100 (pp. 797-8).

## HOUSE

4. RICE. Rep. Beckwerth, Tex., inserted tables showing acreage allotments, planted acreage, production, and value of the 1950 rice crop, by counties, for the States of Arkansas, Louisiana, Texas, California, and other producing States (pp. 847-9).
5. MINERALS. The Interior and Insular Affairs Committee reported with amendments H. R. 472, to permit the mining, development, and utilization of the mineral

resources of all public lands withdrawn or reserved for power development (H. Rept. 1296) (pp. 850-1).

6. EXTENSION WORK. Rep. Wickersham, Okla., inserted a letter from the Oklahoma City Milk Producers Association stating that Oklahoma will receive a reduction in Federal contributions for extension work because of the decrease in rural population, which reduction will result in the displacement of 24 assistant county agents leading 4-H Club work. The letter asks that Congress take some action to help in the situation. (p. 832.)
7. COMMERCE APPROPRIATIONS. Received from the President a draft of proposed language provision for the fiscal year 1952 for the Commerce Department (H. Doc. 340) (p. 850); to Appropriations Committee.

#### BILLS INTRODUCED

8. COMMODITY EXCHANGE. S. 2591, by Sen. Jenner, to amend section 5a of the Commodity Exchange Act, so as to provide for the same discount on grain delivered against futures contracts as in the case of grain sold in the cash market; to Agriculture and Forestry Committee (p. 796). Sen. Jenner discussed the purposes of the bill and inserted an article by Phil S. Hanna on the subject (pp. 796-7).
9. EMERGENCY CONTROLS. S. 2594, by Sen. Maybank, to extend the provisions of the Defense Production Act of 1950, as amended, and the Housing and Rent Act of 1947, as amended; to Banking and Currency Committee (p. 796). Sen. Maybank said the bill provides for an extension of the "programs of material allocation price, credit, and rent controls, and the life of the Small Defense Plants Administration," and that he is introducing it at this time in order that the Committee may begin hearings. He also inserted a summary of the bill and discussed it with Sens. Capehart and Lehman. (pp. 798-9.)
10. BUDGETING. S. 2602, by Sen. Humphrey (for himself and Sens. Benton, Lehman, Moody, and Murray), and H. R. 6441, by Rep. Roosevelt, N. Y., to promote greater economy in the operations of the Federal Government by providing for a consolidated cash budget, a separation of operating from capital expenditures, long-range budget estimates, the scheduling of legislative action on appropriation measures, yea and nay votes on amendments to appropriation measures, and a Presidential item veto; to Expenditures in Executive Departments Committees (pp. 796, 851). Remarks of Sen. Humphrey (p. 797). Remarks of Rep. Roosevelt (pp. 844-5).
11. ELECTRIFICATION. H. R. 6436, by Rep. Jackson, Wash., to change the name of the Bonneville Power Administration to the Columbia Power Administration; to Public Works Committee (p. 851).
12. WATER UTILIZATION. H. R. 6440, by Rep. Patman, Tex., to revive and reenact section 6 of the act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes," approved Dec. 22, 1944; to Public Works Committee (p. 851).
13. PERSONNEL. H. R. 6438, by Rep. McDonough, Calif., amending the Civil Service Retirement Act of 1930; to Post Office and Civil Service Committee (p. 851).
14. EDUCATION. H. R. 6429, by Rep. Betts, Ohio, to provide financial assistance in the construction of schools, for local educational agencies affected by Federal acquisition of real property; to Education and Labor Committee (p. 851).



would take care of our requirements for initial equipment and yet avoid the building up of tremendous reserves of completed end items which might rapidly become obsolescent. We have groped for, and in some instances, I think, found what we promised this committee last year, that is a throttle set somewhere between wide open, which is war, and tight shut, which has been our previous habit in peace.

In the fourth place, we have tried to stretch out the procurement of certain types of items in those fields in which unusual technological advances give promise of substantially improved weapons within the next 2 or 3 years. Here again we have tried to get what we need basically for our military security in such a fashion that new and supplementary weapons, as developed, may be rapidly supplied without causing us to write off large accumulated stocks of obsolete weapons.

Against the background of events throughout the world which give little evidence of any relaxation of the ultimate ambitions of the Kremlin toward world domination we have tried to exercise both self-restraint and selectivity in our estimates of the end forces required to give us the minimum defense forces needed to serve as a protection to this country and to enable us to meet our commitments overseas; to serve as a deterrent against aggression and to permit a rapid mobilization to wartime strength, if that unhappy necessity were forced upon us.

The procedure in the formulation of the military requirements budgets was essentially the same as that followed in the supplementals of fiscal year 1951 and the basic budget for fiscal year 1952. That is to say, the three armed services estimated their military and end-item requirements based on the forces recommended by the Joint Chiefs of Staff and approved by the National Security Council, related to a readiness date by which each service was to be combat-worthy.

One notable and uncomfortable difference between fiscal year 1953 and fiscal years 1952 and 1951 circumstances should be mentioned. Whereas in the previous 2 years the impact of the recently started rearmament program had not noticeably affected industry as a whole, it was apparent, in the case of the fiscal year 1953 military budget, that the test of feasibility of the program in the light of the shortages of certain essential basic raw materials become of cardinal importance. The theory and, in fact, the practice in the last year and a half has been that the military services would estimate as carefully as possible their military requirements. Thereafter, other agencies of Government, prior to submission to the Congress, would estimate the effect of the procurement of these military requirements both as to feasibility in a production sense and as to the impact on the national economy as a whole.

As I said earlier, in the previous year the program did not have to be reduced because of shortages of basic raw materials or because the forecast rate of expenditures would cause excessive financial or economic strains.

In fiscal year 1953 requests, however, we came up against the hard realities that the requests from the military would, in some instances, be unrealistic because of the lack of materials within the compressed period of time. In other cases the requests of the military departments would result in total military expenditures which would be excessive in the judgment of other competent agencies of the Government and which, in their opinion, would jeopardize the economy or financial stability of the country to a degree which was unacceptable and unwise.

The initial budget requests submitted to my office by the three armed services, based on military requirements and early readiness dates, totaled approximately \$71,000,000,000, exclusive of the requirements of the military

portion of the foreign aid program. As a result of the review conducted by the Office of the Secretary of Defense with the three military departments, and as a consequence of the screening process at that stage of budgetary development, the original estimates in their rough form were reduced to a finished budget of approximately \$55,000,000,000. The Department of Defense recommended the latter figure to the Bureau of the Budget and to the President as a reasonable fund requirement. To reach an acceptable state of readiness by July 1, 1953, in the case of the Army and Marine Corps and later for the Navy and Air Force would have involved, according to the original estimates of the three military departments, expenditures in fiscal year 1953 totaling approximately \$73,000,000,000, exclusive of expenditures for military assistance to other countries.

Subsequent to our budget submission to the Bureau of the Budget and the President, certain further adjustments were made both in terms of new obligational authority and in terms of expenditures. As a result of these adjustments, primarily a stretch-out of the period in which readiness is to be developed, the funds being requested in the budget submission before you call for \$52,000,000,000 in fiscal year 1953, rather than the \$55,000,000,000 figure in our initial submission to the Bureau of the Budget and the President.

The funds being requested herein for fiscal year 1953 will, however, permit the Army to expand toward a goal of 21 full-strength divisions; the Navy toward a goal of 408 combat vessels with 16 carrier air groups; the Marines toward a goal of 3 full divisions and 3 air wings; and the Air Force to build toward a goal of 143 wings. All 3 services will have the appropriate support-type units.

The decision to build toward these goals rather than attempt to reach them in fiscal year 1953 or 1954 was made after careful consideration of the economic, material, fiscal, and military implications involved. The reduction from our initial request to the Bureau of the Budget was in line with these considerations and with an expenditure limitation as directed by the President.

The result was an approval of the military forces recommended by the Joint Chiefs of Staff and a determination by the President that expenditures for fiscal year 1953 for the Department of Defense and military end items financed under the mutual security program should be less than \$60,000,000,000. During the consideration of the problem we stated as fully as possible the implications which this calculated risk entails since it involves a stretchout in production and thereby an extension of the dates upon which the services will be equipped with modern and combat-worthy arms and capable of sustaining themselves in battle. I believe you have already heard from Mr. Wilson, Director of the Office of Defense Mobilization, on the problem of scarce materials. Economic and fiscal considerations have been presented to the Congress in the Economic Report of the President and the budget message.

I would like to emphasize that the problem confronting this committee, the Congress, and the Department of Defense is to complete a military program within the framework of the partial mobilization concept while at the same time maintaining a strong civilian economy. It has never before been attempted in this country. We have always operated military production on the feast or famine basis of large production during actual war and little or no military production at other times. The building of a military organization capable of deterring aggression without destroying our economy is an extremely complicated problem.

With respect to the military situation, I believe it is fair to indicate that this buildup does not attain the number of units with

modern equipment or the amount of mobilization reserves as early as the military chiefs, from a purely military point of view, would consider desirable. However, the executive and legislative branches of the Government must of necessity give consideration to all the factors and to arrive at the balance which appears best for the long-term security of this Nation. The budget before you represents such a judgment by the executive branch of the Government.

During the course of the hearings before this committee you will no doubt be frequently advised as to a cut-back in individual programs. It is only fair to indicate that the individual programs being presented to you by the military departments, in most cases, call for substantially less new obligational authority and for somewhat less production during fiscal year 1953 than the levels talked about during the fall of 1951. However, I would like to remind the committee that if the Department of Defense is to achieve the production goals set forth in this budget in conjunction with those for military assistance programs, it will be necessary to double the output of hard goods and construction between December 31, 1951, and December 31, 1952. The achievement of such an increase will require vigorous efforts on the part of the Department of Defense, American industry, and the civilian defense agencies, such as the Office of Defense Mobilization. We believe that it is within our capacity to achieve this doubling of output of the critical long-lead-time items of military production in the next 12 months, but because of past conversations concerning higher rates, many people may consider it comparatively easy to achieve the rates now being proposed. On the basis of my experience, I can assure you that no production schedule is ever achieved unless initiative, effort, and follow-up are applied at the critical points.

During the past year as might be expected in the initiation of a program of the magnitude undertaken by the Department of Defense, numerous individual difficulties have arisen in securing the production the Department desires. In such a tooling-up period there is, of course, a shortage of machine tools. More and more these difficulties are being reduced to shortages of individual types of tools or facilities which make them easier to deal with. In cooperation with the Director of Defense Mobilization we have been working with manufacturers to find ways and means by which production could be expedited pending the delivery of new tools and by the adaptation of existing tools even if somewhat less efficient.

To assure that the goals set forth in this budget are achieved, I have directed the Chairman of the Munitions Board and Mr. Clay Bedford, an outstanding production expert who has recently joined my staff, to work with the three military departments to break any existing bottlenecks in military contracting or production techniques that might retard us in reaching our goals. I believe that with this concentrated effort the desired production will be achieved. Measured in dollars, this means expenditures of over \$85,000,000,000 during the next 18 months by the Department of Defense, two-thirds of which will be for hard goods and construction. The quarterly expenditure rate on June 30, 1953, will be approximately \$16,000,000,000. I should add that these figures include expenditures for the military portion of the foreign aid program.

As in the two previous years, approximately one-half of the funds being requested would be obligated for capital investment type of items, such as airplanes, tanks, etc. The authority being requested herein for such types of items when used with the funds provided in fiscal year 1953 and fiscal year 1952 will permit the projection of firm production schedules, except for aircraft and ships, generally to June 30, 1954. In the



case of aircraft for naval aviation, the schedules would be projected on this basis through December 1954 and in the case of aircraft for the Air Force, into calendar year 1955. In the case of ships, the time will vary depending on the size of the vessel being constructed. This further forward financing for major procurement is the result of our experience during the last 10 months which indicates the advisability of lengthening the period of forward contract commitments—for example, 6 months were added to the financed lead time for aircraft for the Air Force. Details will be presented by the military departments but in general it reflects the increasing complexity of managing the flow of material and production.

It is our opinion that these additional amounts are extremely important if industry is to have a reasonable opportunity to comply with the decision to produce needed military equipment and simultaneously to carry on a reasonable level of production for the civilian economy, because with the additional funds being requested we will be able to make firm contracts for military production involving delivery of goods during the next 2 or 3 years. This will permit the Office of Defense Mobilization to make reasonably firm long-range determinations as to material that will remain available for civilian production and allow manufacturers to so adjust their total production as to meet the schedules for military equipment and at the same time secure maximum civilian production within the limits of material availability. With a lesser amount of money we would be limiting our efforts to a program level that would increase, beyond the realms of prudence, the calculated risks already taken. It would force us to less efficient operations and would not permit the continued accelerated production during the next 2 years of the major military items we need.

In bringing the budget to the level requested by the President and in stretching out the period of force and matériel build-up, we believe that all of the calculated risks, considered prudent, have been accepted. With the objectives outlined above in mind, the Department of Defense strongly recommends that obligational authority in the amount of \$52,000,000,000, as submitted in the President's budget, be appropriated for fiscal year 1953.

### THREE-YEAR PROGRAM OF BOY SCOUTS OF AMERICA

Mr. FULBRIGHT. Mr. President, at this time I wish to invite the attention of the Senate to one of America's great agencies, the Boy Scouts of America, which operates under a Federal charter granted by Congress. The Boy Scouts of America was incorporated 42 years ago and is observing Boy Scout Anniversary Week throughout the Nation. Many Senators are actively connected with the Scouts, and I am sure that all Senators are aware of the splendid program of character building and citizenship training which the Boy Scouts organization is conducting for the boys of this country. During the past 42 years more than 19,000,000 boys and men have unselfishly rendered service to their communities as members of this organization. The present membership is nearly 3,000,000, and in these critical days it is reassuring to feel that we have a great force such as this working for the youth of the Nation.

The Boy Scouts of America is nonsectarian, nonpolitical, and nonmilitary. It enrolls country boys and city boys, the sons of the wealthy and boys from the slums. It stands for Americanism and

all the traditions our forefathers bought with blood and toil through the years.

This week the Boy Scouts of America is inaugurating what it calls a 3-year program with the slogan "Forward on Liberty's Team." The over-all objective of this program is to make the boy, the Scout movement, and the Nation physically strong, mentally awake, and morally straight. This program is broken down into certain specifics, and the interesting thing is that every boy and every man can have a share in making these things happen.

I urge that all Senators in their local communities give their support to the Boy Scouts. I know of no agency that is more effective in building our future citizens.

### PREVENTION OF ILLEGAL ENTRY OF ALIENS

Mr. McFARLAND. Mr. President, I wish to ask whether there is any objection to temporarily laying aside the unfinished business and considering Senate bill 1851, a bill known as the wetback bill. The title of the bill is "To assist in preventing aliens from entering or remaining in the United States illegally." It is calendar No. 1076.

The contract for Mexican labor expires on February 11, and time is of the essence in connection with the passage of the bill. We are told that if the Senate passes the bill and sends it to the House of Representatives, it will be possible to obtain an extension of the expiration date because action to that extent will then have been taken.

Therefore, I should like to have the Senate pass the bill today, if there is no objection to having it considered.

Mr. O'MAHONEY. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. I yield.

Mr. O'MAHONEY. Do I correctly understand that the bill has been unanimously reported from the Committee on the Judiciary?

Mr. McFARLAND. That is my understanding.

Mr. O'MAHONEY. There is no objection to the bill, so far as the majority leader knows; is that correct?

Mr. McFARLAND. That is what I am trying to ascertain.

Mr. O'MAHONEY. The Senator from Arizona is of the opinion, is he not, that the bill is noncontroversial and that its consideration will not take very long?

Mr. McFARLAND. I hope that consideration of the bill will not require much time; if it should take long, I would ask that the bill go over until tomorrow, rather than to have it considered today, because several Senators wish to speak on the unfinished business, which is the Alaska statehood bill.

Mr. HUMPHREY. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. I yield.

Mr. HUMPHREY. My interest in this measure has been manifested since the first session of the Eighty-second Congress, in connection with the so-called Ellender bill.

At the present time the committee is holding hearings on the question of manpower as it affects the United States.

This bill was reported by the committee yesterday, I believe. As yet, none of us has seen a report on the bill or the report which comes from the committee, nor have we had an opportunity to examine any of the hearings on the bill.

I am sure the bill meets the purposes which Senators had in mind at the time of the debate on the so-called Ellender bill. However, in view of the very hot controversy we had at the time of consideration of the Ellender bill, when the Senator from Illinois [Mr. DOUGLAS], who is not at this time on the floor of the Senate, was very much concerned about the very measure on which the Judiciary Committee now has taken action, I think we should have at least several hours today before we agree to the proposed unanimous-consent request.

Mr. McFARLAND. Mr. President, in order that Senators may know what the procedure will be—

Mr. AIKEN. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. I yield.

Mr. AIKEN. I wish to assure the majority leader that I think this bill should be considered promptly, not later than tomorrow. However, we have heard so much discussion about illegal employment of aliens on farms that I wish to make sure that this bill treats all persons alike, because I have a suspicion that there may be more aliens illegally employed in the cities of the United States than there are on farms. So I desire to make sure that the bill covers those who are in the cities, as well as those who are on farms in the Southwestern States.

Nevertheless, Mr. President, I think the Senate should consider the bill not later than tomorrow, probably, although I must admit that this is the first time I have read the bill.

Mr. McFARLAND. Mr. President, as I stated at the beginning of my remarks, time is of the essence in connection with this bill. On the other hand, I do not wish to ask any Senator to vote for a bill which he feels he has not had sufficient time to study.

Mr. KILGORE. Mr. President, will the Senator from Arizona yield, to permit me to make a brief statement?

Mr. McFARLAND. Yes; I yield to the Senator from West Virginia.

Mr. KILGORE. Let me say that the draft of the bill which now comes before the Senate was accepted by the Department of Agriculture and representatives of the agricultural organizations, and by immigration-service officials. The bill was really drafted by them, and as many safeguards as possible were placed around it. At the same time it gives us the right to obtain evidence with respect to illegal labor at its inception.

Furthermore, on the question of labor, I may say that these groups are in a dangerous situation in the Southwest. There is a legal means of getting labor over the international boundary if the agreement is renewed. But the agreement cannot be renewed, at least until the Senate passes this bill and the bill goes to the House. Renewal of the agreement will then be discussed. This



bill would provide the necessary safeguards to protect us against illegal entries. I refer to illegal entries by persons who may be personally unobjectionable, but who are unable to pass the immigration tests.

Mr. AIKEN. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield to the Senator from Vermont.

Mr. AIKEN. I should like to ask the Senator from West Virginia whether he is sure that every provision of this bill applies to the illegal employment of aliens within cities, as well as upon farms. Does the bill treat both classes exactly alike?

Mr. KILGORE. It treats everyone in exactly the same way, except for one feature of the bill.

Mr. AIKEN. What is that?

Mr. KILGORE. The exception is that, along the border, the immigration officers are granted a little more authority to conduct searches within a reasonable distance from any external boundary of the United States than they now possess.

Mr. AIKEN. In other words, the bill authorizes the immigration authorities to search for illegal entries along the entire Texas-Arizona-New Mexico border, but not, for example, in the city of Chicago. Is that correct?

Mr. KILGORE. They may search any place.

Mr. AIKEN. The bill says "within a distance of 25 miles from any such external boundary."

Mr. MAGNUSON. That applies to search without a warrant.

Mr. KILGORE. But they may search at any place with a warrant.

Mr. AIKEN. Then, in the mind of the Senator from West Virginia, there is no discrimination at all. If I may have assurance that there is no discrimination with respect to farms, I shall have no objection to the bill.

Mr. KILGORE. I may say to the Senator from Vermont, the bill provides that within a reasonable distance of the external boundaries of the United States the Immigration Service may enter and search any railway car, aircraft, conveyance, or vehicle without a warrant, for the purpose of discovering illegal entries. It also provides that "within a distance of 25 miles from any such external boundary" the immigration authorities may have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States. They may procure from the district headquarters, of which there are only four, warrants authorizing them, at a day and hour fixed in the warrants, to make a search for illegal entries supposed to be harbored therein.

Mr. AIKEN. I thank the Senator from West Virginia. I simply raised this question, because it seemed that last year an effort was made to obtain legislation which was apparently directed at farmers only; and I wanted to make sure that any legislation we pass would apply to everyone.

Mr. KILGORE. I may say to the Senator from Vermont that the use of one particular word in the bill should convince him. In the previous bill the word "harboring" was employed generally. This bill goes to the matter of employment, no matter where the person may be employed, whether on a farm, in a factory, in a shop, or anywhere else. On page 4, beginning at line 18, the bill reads:

*Provided, however, That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.*

That is an additional safeguard.

Mr. MAGNUSON. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. I yield to the Senator from Washington.

Mr. MAGNUSON. I think it should be pointed out to the Senator from Vermont that the fact that there was no hearing on this bill is not unusual, but is attributable to the time element. However, the bill itself was the result of long conferences between the State Department, the executive department, the farm labor-management groups, including, I believe, the National Grange, and a great legislative council. By reason of the time element, we have amended it in several conferences, and this is the result agreed upon by everyone. That is why no hearings were held.

Mr. AIKEN. I have had no opportunity to read the bill; but, with the assurance that its provisions are equitable, I have no objection.

The PRESIDENT pro tempore. The clerk will read the bill by its title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HUMPHREY. Mr. President, I do not desire to object to the present consideration of the bill. I merely want to say that because of a lack of time, many of us are not going to have any opportunity whatever to study this proposed legislation. But I recognize the difficulty which our Government has encountered in the renegotiation of the agreement with the Republic of Mexico, and if this is a part of the means to get the agreement renewed so that we can make some forward progress, then I shall not object.

However, I may say, Mr. President, that the problem of the wetback and the problem of migratory labor should not be considered as being properly treated or fully explored by a bill such as Senate bill 1851. This bill treats but one aspect of the problem: it gives the Immigration and Naturalization Service and the Justice Department more direct authority than they have under present law. It is a limited approach to a very difficult problem, and there will be much more which needs to be done.

I shall not object, but I want the record perfectly clear that we have not as yet, from what casual study I have been able to make of Senate bill 1851, come anywhere near really getting at the problem of the wetback.

I listened to testimony this morning from Archbishop Lucey, of San Antonio, Tex., and from Dr. Fuller, the executive secretary of the President's Commission on Migratory Labor. There are hundreds of thousands of wetbacks in this country literally adulterating the American employment market and posing great social and legal problems to the people of the United States. This bill as an effort to strengthen our law is commendable, and on that basis, I think it should be supported. But I repeat, Mr. President, we have nowhere near met the obligation which the Congress owes to the American people in dealing with the very difficult and complex problem of migratory labor.

Mr. KILGORE. Mr. President, I should like to remind the Senator that a bill going much further than this is now in the Committee on the Judiciary, a bill which completely takes care of the immigration problem, or attempts to do so, and recodifies the entire immigration laws. This is a temporary expedient to take care of an emergency. The other bill goes much further.

This bill is more or less for the purpose of strengthening the arm of the immigration service pending the passage of complete legislation on the subject of immigration, and to enable them to ferret out certain places which they have heretofore been unable to search. The bill, in short, makes it an offense to harbor or to transport or to bring in wetbacks. The previous law makes it an offense to enter the country illegally. The pending bill provides certain safeguards. It provides that employment shall not be deemed to constitute harboring, if the normal practices of the employment are followed. Second, it allows a search of vehicles within a reasonable distance of the external boundaries, without warrant. It must be realized that we have very few immigration inspectors, and they must not be tied down too tightly. Third, it allows the entry on private lands within 25 miles of the external boundaries, but not the entry of dwelling houses, to search for illegal entries. Fourth, it permits search to be made upon the issuance of a warrant, which warrant must be dated and limited to 30 days for its execution, and the time of day or night at which the warrant may be executed shall be specified. The search may be made at any place in the United States where there is reasonable ground to believe there are illegal entries, and the warrant must be issued either by a district director or his assistant, there being four district directors in the United States and three assistant directors.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. KILGORE. I yield to the Senator from Indiana.



Mr. JENNER. For the benefit of the Senate, I think the Senate might explain that that represented the only disagreement in the committee.

Mr. KILGORE. That is correct.

Mr. JENNER. He might explain also that the farmers of this country are very much interested in that provision, and that it was the intention of this proposed legislation, and so written into the report, to limit the number of assistant directors.

Mr. KILGORE. The Senator is correct. The report will show that that was the intention of the committee. The bill, as originally drafted, used the term "supervisory personnel." The word "supervisory" was spelled out to mean the district directors and their assistants, there being four directors and three assistants.

Mr. CAIN. Mr. President, will the Senator from West Virginia yield for a question?

Mr. KILGORE. In just a moment. I should first like to finish my thought. That was not put into the bill but was written into the report, because the only dispute we had was with reference to the John Doe warrant of the old prohibition days and the fear that such a warrant might be written.

I now yield to the Senator from Washington.

Mr. CAIN. If the bill is passed by the Senate during the course of the day, will the committee's report on the bill be made available to the Members of the Senate?

Mr. KILGORE. The committee's report was filed yesterday, but for some reason it has not come back from the Government Printing Office. I am assured by the Secretary that it will be here some time this afternoon.

Mr. CAIN. I thank the Senator.

Mr. HUMPHREY. Mr. President, will the Senator from West Virginia yield?

Mr. KILGORE. I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I notice that the proviso on page 4 of the bill reads as follows:

*Provided, however, That, for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.*

What is the purpose of that particular proviso if the purpose of the bill is to stop the tragic wetback system?

Mr. KILGORE. Many wetbacks have been in the country for years. They are frequently mistaken for American citizens. By stating that so long as an employer lets the employee carry on only the normal work of his employment and does not make any special effort of any kind to conceal him, that of itself shall not constitute harboring. But if he takes any further steps, such as providing a place for the employee to hide out, that does constitute harboring. Letting him carry on the normal course of employment cannot be so considered.

Consider a farmer who takes a hot lunch to the field at noon. The mere fact that that is being done to save time and to give better food to the men would not be classed as harboring, as

it would be if the food were taken out into the underbrush to someone who was concealed there.

I know what the Senator has in mind. Practically every State in the Union has had the wetback problem. Some of these people cannot meet the standards of immigration. They may be criminals. Because they are wetbacks, they can be kept in a state of peonage. We have a contract system whereby aliens can legitimately be brought into the United States. But before they are brought in, the local employment service is available, or, if not available, then by the contract system aliens can be brought in to take care of crops in certain places and to perform certain types of work. But they must meet the standards of immigration. This bill would give the Immigration Service some help which it does not now have.

Mr. HUMPHREY. Mr. President, I do not wish to delay the Senate's consideration of this measure, but I want the record expressly, explicitly, and perfectly clear that this measure is but one of the many things which need to be done in terms of dealing with the problem of the wetback and migratory laborer.

I also want it clear as to the restrictions in the bill, namely, the warrant, the number of persons who may issue a warrant, the supervisors or assistant supervisors, and the Attorney General; and the fact that a wetback employed under what are normal conditions of employment severely limits the application of the measure as an effective piece of legislation to deal with the wetback problem.

I am not saying that it is not progress. It is. But the testimony which we heard this morning, and which is still ringing in my mind, of one of the distinguished leaders of a great church, who came all the way from San Antonio, Tex., at his own expense, to testify about the miserable, deplorable conditions which exist in the migratory-labor field, is something which is shocking and revealing.

I think every Member of the Senate ought to be aware of the testimony of the Archbishop of San Antonio in which he pointed out that in Texas alone some 60,000 American citizens sought employment elsewhere, and under the agreement 50,000 Mexicans were brought into the United States to replace Americans who had to go elsewhere for employment. These are not my words, but are the words of a distinguished churchman who appeared in behalf of his people.

Let no Member of the Senate think that Senate bill 1851 is an answer to the problem. The bill is long overdue, and that is the reason why it must be passed; but it has been restricted and limited and will necessitate, I think, much more consideration of the problem by the Committee on the Judiciary. I know there is an immigration bill before us, and I know that we will take some action on the subject this year. We ought to be as interested in the deportation of persons illegally entering from Canada, England, France, or Germany as we are with reference to Mexicans or persons from the British West Indies. There

are all kinds of laws on the books with reference to deporting people who may have a bad idea. The books are filled with legislation providing for the deportation of Communists and Fascists. I want to see to it that those who have entered this country illegally are deported also, that the laws of this land are adequately enforced, and that there is no doubt as to what the purpose of the Congress is, namely, that illegal entries shall be barred.

The wetback problem stands as a blight and a shame on the American Republic. We talk about aid for the underprivileged; we talk about integrity and the enforcement of law. Yet one of the principal problems we face is the way we have permitted the wetback to remain here and to permit himself to be exploited and, at the same time, deprive American laborers of employment.

Mr. President, I have no objection to the consideration of the bill.

Mr. KILGORE. Perhaps the distinguished Senator from Minnesota knows that the original bill introduced was in line with his statement. There is a very strong bill in the House which is in line with the original bill introduced. However, the thought at this time was that it would work a very severe hardship; in other words, action had to be taken gradually so as to accomplish as much as we could this year and do a little more next year and not punish employers who were used to a long practice of carelessness which we had allowed to develop, and at the same time, not punish the type of farmer who wants to pay legitimate wages but cannot find the necessary labor. He wants to bring the aliens into the country temporarily and then send them back after the work is done. We do not want to punish him by having him compete with the wetbacks.

That is the reason for the modification of the pending bill. In the opinion of the Senator from West Virginia, it is a temporary expedient. I hope we shall eventually reach the ultimate.

Mr. LEHMAN. Mr. President, will the Senator from West Virginia yield?

Mr. KILGORE. I yield to the Senator from New York.

Mr. LEHMAN. Mr. President, as the Senator from West Virginia knows, I am strongly in favor of preventing the entry into this country of wetbacks, and I am also in favor of their deportation or of the deportation of any other man or woman who has entered the country illegally. Since I feel that way, does not the Senator agree with me that the point raised by the Senator from Minnesota, that this bill unnecessarily limits the power of the Government in that respect, is valid?

I specifically ask the Senator about a proviso in subsection (4) of section 8, commencing in line 18, page 4, reading as follows:

*Provided, however, That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.*

My question is whether the Senator from West Virginia does not believe that that provision substantially weakens the



force and effect of this entire paragraph in section 8.

Mr. KILGORE. No, I will say to the Senator from New York I do not believe that that proviso, properly interpreted, weakens the section, because this is a bill providing punishment for people who "harbor," and it is very hard, let us say, for the small farmer, or the factory owner, to know, when he sees a man coming into the community, what his previous status was. The Senator from New York must realize, and the Senator from Indiana well knows, that wetbacks come across the border and get a little money in Texas, Arizona, or New Mexico, and then go to Indiana to work for a while on the farms there, and when the season in that area is over, actually trucks are sent to Indiana, Ohio, Illinois, for the workers, and haul them back for the cotton-picking season. The trucks are not sent to West Virginia, because the workers labor in the mines of West Virginia, and the work is not seasonal.

Let us say a farmer picks up a wetback in Illinois from a farm there, and hauls him down to the South, as he has been accustomed to doing, through his agents. So long as he puts the man into employment in the South, that in itself shall not be considered "harboring," so as to render him liable to punishment; but the wetback may still be apprehended.

Mr. LEHMAN. Mr. President, will the Senator yield for another question?

Mr. KILGORE. Certainly.

Mr. LEHMAN. As I read that section, the words in it are as follows: "willfully or knowingly"—I emphasize the words "willfully and knowingly"—"willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this act," and so forth.

One who comes within that description shall be deemed guilty of a felony. The provision starting in line 18 it seems to me nullifies the other language. A man does not subject himself to any penalty unless it can be shown that he has willfully or knowingly induced the admission or entry of such aliens.

Mr. KILGORE. Oh, no. If he willfully or knowingly induces the aliens to come into the United States, that of itself is an offense, but the mere fact of having them in his employment shall not under the meaning of the words, be classed as "harboring."

Mr. LEHMAN. I understand that, but what I am not clear about in my mind, and possibly the Senator from West Virginia can enlighten me, is why the provision on line 18 is inserted, limiting the effect of the other part of the subsection. I am trying to strengthen the bill.

Mr. KILGORE. So am I, but at the same time I am trying to do it, not at the expense of some man who unwittingly or unknowingly, or thoughtlessly hires a man he does not know to be a wetback, who may be pretty well in the interior of the country, and who is seeking em-

ployment. The man to whom I am referring may need an employee, and hires the alien. That of itself should not subject him to a penalty. Once he finds out the real situation, he is knowingly and willfully harboring the man, and the authorities can go after him.

Mr. KNOWLAND. Mr. President, will the Senator from West Virginia yield?

Mr. KILGORE. I yield to the Senator from California.

Mr. KNOWLAND. As a matter of fact, is it not true, particularly in the border States of Texas, New Mexico, Arizona, and California, that with their Spanish-Mexican background, there are a great many people living on our side of the border who are American citizens, who speak Spanish, and there are a great many from the other side who come over who speak English, and it is difficult at times, no matter if one is trying to prevent illegal entry, to differentiate between the American citizen on our side of the border and the person who may have come across?

As I understand the situation, what the Senator from West Virginia has been trying to accomplish is this: If there is in fact a conspiracy to bring in inadmissible persons knowingly and willfully, those guilty would be subject to the penalty, but if in the normal course of employment one happens to get a wetback in his group, he should not then be penalized for a condition to which he has not been a party except in a non-willful way.

Mr. KILGORE. The Senator from California is correct in his statement. Not only is it true of the border States, but also of my own State of West Virginia, where great numbers of legally entered people of Spanish or Mexican ancestry work in the mines and factories. If someone drifts in, speaking the same language and associating with them, it is very difficult for an employer to know which ones are in the country illegally.

A mine operator, for instance, who may have a hundred Spanish-speaking employees working in his mine, may suddenly learn that there is one wetback among them, but he has not induced that wetback to come there. Unless there is in this bill a clause defining harboring, in accordance with the definition as given by the Supreme Court, such an employer could be held guilty of a felony by reason of the fact that he had harbored a wetback.

Incidentally, that could operate also against a Spanish-speaking person, or a person of Spanish, Italian, or other foreign ancestry, who has come into this country, who is a bona fide citizen, and who tries to find work, because employers would be reluctant to hire a person who spoke a foreign language.

Mr. LEHMAN and Mr. ELLENDER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from West Virginia yield, and if so, to whom?

Mr. KILGORE. I yield first to the Senator from New York.

Mr. LEHMAN. I expect to vote for the bill because I believe it is a step for-

ward. But my desire is to make it much stronger than it is at the present time.

It seems to me that, on page 4, lines 18 to 21, beginning with the word "Provided," weaken the effect of the bill very materially. I do not believe that language belongs in the bill or is needed because no one may be found guilty of a crime or a felony unless it can be shown that he has willfully or knowingly encouraged the admission or entry of a wetback into this country.

In the absence of an act on the part of a citizen to induce illegal entry willfully or knowingly, it does not seem to me that he is subject to any penalty at all. Therefore, I believe it is not necessary or advisable to include the escape clause which is inserted at the end of this subsection.

Mr. CHAVEZ. Mr. President, will the Senator yield to me for a moment?

Mr. KILGORE. Perhaps the distinguished Senator from New York has not read all the provisions of the bill.

Mr. LEHMAN. I could not have read all of it because I did not see the bill until a few minutes ago.

Mr. KILGORE. Subparagraph (3) of section 8 reads as follows: "willfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means of transportation."

This limiting clause affects the definition of the word "harbor" in subsection (3).

I now yield to the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, the point I wish to make in response to the question raised by the distinguished Senator from New York is this: All of us, of course, wish to have some provision adopted affecting the wetback or any other immigrant who is here illegally, but unless there is such a definition as that outlined by the Senator from West Virginia, we shall be completely violating the criminal laws of the country.

Why should a man be punished, or why should he be deemed to have committed a felony, if he has not acted willfully and unlawfully? If he acts as a matter of course, by mistake, because he does not know whether a person is a citizen or not; if he does it in an innocent manner, and does not do it premeditatedly, why should he be punished? I am just as sincere as is any other Senator in trying to solve the wetback problem, because it affects my State.

As was previously stated by the Senator from Minnesota, what Archbishop Lucey said before the committee this morning was correct. Our citizens, brothers of the boys who are dying in Korea, boys from Texas, New Mexico, and Arizona, are in many instances unable to obtain work because of the wetback problem. However, I do not want to punish an American citizen because he makes a mistake and inadvertently allows someone to come into the United States illegally, or who employs a person when he innocently thinks that he is either a legal entrant or a citizen of this country.

Mr. LEHMAN. Mr. President, I should like to point out to the Senator that I



am eager to see this problem solved. I have bills which have been introduced or will be introduced, which would permit the liberalization of our immigration laws, so that decent men and women who conform to the standards set by our Government may be permitted to enter this country.

Mr. CHAVEZ. I should like to associate myself with that idea.

Mr. LEHMAN. On the other hand, I desire to close the doors against the entry of certain persons, and to deport anyone who has entered this country illegally, because I think illegal entries are bad for the country.

Mr. CHAVEZ. So do I.

Mr. LEHMAN. I also believe that the existence of large groups of immigrants, numbering several hundred thousand, who come into the United States illegally militates against the possibility of decent law-abiding, honest men and women coming into this country legally.

Mr. CHAVEZ. I also wish to associate myself with the Senator from New York in that idea. However, I believe that so far as the wetback problem is concerned, this bill represents progress. In dealing with this problem time is of the essence. The law, or the contract made pursuant to the existing law, expires on the 11th of this month, as I understand. I should like to have some action taken. I feel as does the Senator from New York, that the committee has made progress.

Mr. LEHMAN. I thank the Senator. I certainly will not object to the consideration of the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. KILGORE. Mr. President, I yield the floor.

Mr. ELLENDER. Mr. President, I hope there will be no objection to the consideration of this bill. It will be recalled that the bill which was considered last year to permit the importation of Mexican farm labor was debated to a considerable extent on the floor. I am sure that Senators will remember the amendment which was proposed by the Senator from Illinois [Mr. DOUGLAS], and adopted by the Senate, but later eliminated in conference.

The amendment to the immigration law which we are now considering does not, I admit, go even as far as the so-called Douglas amendment. However, as has been stated many times, the proposed amendment goes a large part of the way. It is my hope that within the next few months the Senate will consider the omnibus bill now on the calendar, which would further strengthen the immigration laws.

The enactment of this amendment is necessary, I understand, because the Mexican Government refuses to enter into another contract pursuant to existing law unless we strengthen our immigration laws. It will be recalled that when the agreement was entered into last year the President of the Republic of Mexico, as well as our own President, decided to limit the contract to 6 months, in the hope that the Congress would enact a law to assist in solving the wetback problem.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. KILGORE. The Senator from Louisiana probably well knows that the Republic of Mexico wants to restrict the migration to the United States of Mexicans from northern Mexico, because Mexico is trying to build up her own agriculture. For that reason the Mexican Government is just as much opposed to the wetback as we are. Labor is brought from the southern agricultural section of Mexico into the United States, and then returned to Mexico.

It is for these reasons that we must strengthen the wetback law. Otherwise the Government of Mexico will not enter into an agreement.

Mr. ELLENDER. When we entered into the contract last year there was a provision whereby labor was to be taken from the southern part of Mexico, to meet the very point to which the Senator is now calling attention.

I find that there is a lack of cooperation on the part of the Mexican Government in fighting the wetback problem. For example, there is a law on the statute books of Mexico which makes it a crime punishable by fine and imprisonment if a wetback, returned to Mexico, is shown to have crossed illegally. The Mexican Government can legally prosecute him. However, the Mexican Government will not do it. It puts the entire burden on the American Government. It is my hope that if this bill is passed, we shall get more cooperation from the Mexican Government, and that it will assist us in fighting the wetback problem. I am certain that our present problem would have been substantially reduced if the Mexican Government had taken action to punish, under its existing laws, the thousands of wetbacks who have been returned to Mexico by us. I suggest that this entire wetback problem can be solved only if we get more cooperation from the Mexican Government.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. Let me say for the purpose of the RECORD that during the period Congress was in adjournment I went into the Imperial Valley, where reception centers have been established. I commend the Immigration Service and the Department of Labor for the job they are doing. The fact of the matter is that many of the farm groups, as well as some of those in the Labor Department, have told me that the wages paid were comparable to those paid to other labor, and that the Mexican labor actually cost the farmer a little more than other labor would cost, because of the expense of bringing the labor in, the bond, and so forth. It is not entirely a one-sided affair. If Mexican labor were allowed to come from the region immediately south of the border, the situation would not be quite so serious, because the agricultural problems in that region are, to some degree, at least, comparable to those in Imperial County. When Mexican labor is brought from farther down in Mexico, many persons

come into the United States who have not had very much agricultural experience under modern methods.

When Mexican labor is employed in this country it accumulates a substantial number of dollars to take back to Mexico. I was given certain figures relative to the amounts which Mexicans had accumulated and taken back into Mexico. They also accumulate and take back with them large quantities of American merchandise.

Moreover, as a sort of practical point 4 program, they are taking back with them to their farms and neighborhoods modern methods of agricultural development which I think will prove highly beneficial in improving the standard of living, the production of food, and the general economic condition in certain agricultural regions of Mexico which have not heretofore had the benefit of such modern methods.

Mr. ELLENDER. I am glad that the Senator from California has made that point. It seems that the officials in Mexico do not appreciate the benefits mentioned by the Senator from California.

In a measure they are forcing us to get labor from far down in southern Mexico, in the hope that the labor in northern Mexico will remain in agricultural employment in that area.

So long as the Mexican Government takes the position it does, we will never have the kind of cooperation that is necessary if we are to solve the wetback problem. I am sure that if the Mexican Government took the proper steps and actually punished wetbacks after they are returned to Mexico, the rate of illegal immigration would be substantially reduced.

Mr. President, imagine the amount of money we spent last year to solve the problem. We not only assisted on our own border by making it as hard as possible for wetbacks to enter initially, but when we found them over here, we transported them a few hundred miles into the interior of Mexico, so that they could not just turn around and thumb their way back across the border. That did not stop them. The Mexican Government, under existing statutes, could have punished these people. They could have had them arrested and tried under Mexican law. That would have been a good way to proceed. Yet, when such a proposal was made, there was nobody at home. The Mexican Government seems to expect us to do all the work.

It is my hope that this bill will pass as it is now written, and that from now on the Mexican Government will be a little more cooperative concerning the problem of wetbacks.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ELLENDER. Certainly.

Mr. CONNALLY. I should like to ask some questions of the distinguished Senator from Louisiana, because I know how interested he is and how much work he has done to solve the whole problem. Is it not true that the main problem—and this question should be addressed to the Mexican Government, as well as to our own Government—is that of allow-



ing the aliens who want employment to come across the border, to be employed here, to receive good wages, and then to see to it that they are returned to Mexico? Is not that the problem in a nutshell?

Mr. ELLENDER. That is it.

Mr. CONNALLY. Is it not correct to say that the experience of our Government and of the people of the United States demonstrate that when the so-called wetbacks cross the border and are employed in the United States and receive many times the compensation they would receive if they had remained in Mexico, if something can be worked out to guarantee their return to Mexico the problem would be solved?

Mr. ELLENDER. That is correct.

Mr. CONNALLY. It is not so much a question of letting them into the country. Almost anybody could be permitted to come into the country if there was the demand, and do no harm to either government or either people, so long as there was some assurance that they would return to Mexico?

Mr. ELLENDER. That is correct.

Mr. CONNALLY. Could that problem not be worked out by giving to each one of the wetbacks a card or a certificate of some kind when they entered the country, which would identify them and make it possible for the officers of the law to detect them and thus see to it that they returned to Mexico?

Mr. ELLENDER. That could be done. As the Senator from Texas knows, the border between Mexico and Texas is very long, and it would require quite a number of employees to check thoroughly on all the Mexicans who cross it, and then check again to see that they returned.

Mr. CONNALLY. The Government has employees there now; does it not?

Mr. ELLENDER. Yes, but the method the Senator suggests would require many more employees. It is my belief that more cooperation on the part of the Mexican Government in actually punishing those who are guilty of crossing the border illegally, would go a long way toward solving the problem. The difficulty is that Mexico is putting on us the entire burden of capturing and returning illegal entrants.

Mr. CONNALLY. I agree with the Senator from Louisiana that Mexico has not been cooperative in a proper sense. It is to Mexico's advantage to have its citizens come to the United States, get good wages, and go home with money in their pockets to spend in Mexico, rather than to throw them in jail.

Mr. President, I dislike very much the provisions in the bill with regard to making it a so-called crime to offer any inducements to such aliens, or harbor them, or anything of that kind. That point is greatly exaggerated. How can we induce a Mexican to come across the border when we are not in Mexico and we do not know anything about the man until he comes into the United States? If he wants employment and an American is able to pay him a good wage and needs him for the work, why should we not let him do the work and then carry his earnings back to Mexico and spend

them there for the economy of Mexico, rather than put him in jail?

I believe the committee has done excellent work. They have been laboriously toiling over the various measures regarding all the aspects of the wetback situation. However, I very much deplore that the committee has found it necessary to put into the bill the harsh provisions that affect the citizens of my State, of New Mexico, Arizona, and other States. They are not limited to the States I have mentioned.

Mr. CHAVEZ. Every State.

Mr. CONNALLY. Every State. It would be possible to charge a man in Montana with a violation of the act, and he could be confined in a penitentiary, although he would be a thousand miles from the border. I regret that the Mexican Government has been so illiberal and unsound and so lacking in appreciation of the economic aspects of the question involved that they should disagree with everything we want to do, except to undertake to put someone in jail. I very much regret that the committee found it absolutely necessary to insert this provision in the bill in order to get any adjustment with Mexico.

Mr. ELLENDER. Under the present law, which expires in December of this year, our Government and the Government of Mexico entered into a contract.

Mr. CONNALLY. The Government of Mexico, or the citizens of Mexico?

Mr. ELLENDER. The Mexican Government. There is a contract between the Governments. When we were in Mexico City, in February of last year, it was on the insistence of the President of Mexico—and, of course, our own President agreed to it—that the contract was limited to only 6 months, although it could have been made effective until December 31 of this year.

Mr. CONNALLY. When does the act expire?

Mr. ELLENDER. December 31 of this year, 1952.

The point is that when the Senate passed the original bill, it included the so-called Douglas amendment. However, when the bill reached the House, the Douglas amendment was eliminated. We tried in conference to retain the amendment, but there was serious objection, and the legislation was delayed. However, the law as it now reads will become inoperative, that is, the Mexican Government will not agree to another contract, unless the pending measure—which is a very much modified form of what the Senate approved when the original bill was enacted during the last session of Congress—is adopted.

Mr. CONNALLY. In other words, we are letting Mexico dictate our policies; if we do not do what Mexico wants nothing will be done? That, in short, is the statement of the Senator from Louisiana.

Mr. ELLENDER. They have requested it. Of course, the President of the United States has also requested it.

Mr. CONNALLY. But it is a legislative matter now.

Mr. ELLENDER. Yes, it is; but in order to obtain the labor necessary to harvest the coming crop I believe prob-

ably the thing to do is to enact the bill, in the hope that something better can be worked out in the future.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CHAVEZ. Insofar as the contract is concerned, the law does not expire until December, but the agreement between Mexico and the United States expires on the 11th of February.

Mr. CONNALLY. I do not understand what the Senator means. I thought he said the contract expired in December.

Mr. CHAVEZ. The law itself expires in December. However, under the law an agreement was entered into between the United States and Mexico, and that agreement expires on February 11. So that after February 11 it will not be possible to get the labor.

Mr. CONNALLY. Then, according to the Senator's statement, after the present agreement expires on February 11, the old law will apply; is that correct?

Mr. CHAVEZ. That is correct, although then there would be a law, but no agreement.

Mr. ELLENDER. The law provides that the method of obtaining labor from Mexico is by contract between the two Governments, and the present agreement is limited to 6 months, although it could have been made effective until December 31.

Mr. CONNALLY. My point is that after February 11, when this agreement expires, we shall go under the general immigration law.

Mr. ELLENDER. That is correct. In such event, there will not be any agreement and, in effect, no law on this subject, except the one now in being, but which, of course, requires a new agreement between the two Governments.

Mr. CONNALLY. However, if we have no agreement, then we are relegated to the existing immigration laws, under which very few persons in this category could enter the United States at all. Is that correct?

Mr. ELLENDER. That is correct.

Mr. CONNALLY. Very well; I thank the Senator.

The PRESIDENT pro tempore. Is there objection to the request for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, which had been reported from the Committee on the Judiciary with an amendment.

The PRESIDENT pro tempore. The amendment reported by the committee will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and insert:

That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144), is hereby amended to read:

"Sec. 8. (a) Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through



another, to bring into or land in the United States, by any means of transportation or otherwise;

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States occurred less than 3 years prior thereto, transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) willfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means of transportation; or

"(4) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 5 years, or both, for each alien in respect to whom any violation of this subsection occurs: *Provided, however,* That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

"(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than 30 days."

SEC. 2. The last proviso to the paragraph headed "Bureau of Immigration" in title IV of the act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

"(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessels within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of 25 miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Without objection, the bill is passed.

Mr. DOUGLAS. Oh, Mr. President—

The PRESIDENT pro tempore. The Chair begs the pardon of the Senator from Illinois, and withdraws the statement about the passage of the bill.

Mr. DOUGLAS. Thank you, Mr. President, for the announcement was made quite rapidly.

Mr. President, we know that enormous numbers of so-called wetbacks enter the United States illegally every year.

Mr. Gladwin Hill, who made an investigation of this matter for the New York Times, last year estimated that between 500,000 and 1,000,000 Mexicans crossed the border in this way in a single year.

The Senate Agriculture Committee placed the number at more than a million in its report on S. 984 last year and conceded the importance of this illegal immigration.

We know also some of the effects of this large migration. The presence of this large number of Mexican laborers who enter our country illegally serves to keep down the wages of American farm workers. Furthermore, since these persons enter the United States illegally, we know that they are at the mercy of their employers, because their employers can turn them over to the authorities at any time and can have them deported. And, therefore, the workers are forced to accept low wages and not very good working conditions.

I believe we must deal with this question much more vigorously than the committee has done, although I wish to pay tribute to the committee for acting to improve the present situation. The committee has voted to tighten up the prohibitions and penalties against transporting wetbacks illegally into the United States and harboring wetbacks, but the committee proposes a specific exemption for employment. It specifically provides that employment shall not constitute harboring. In other words, under the committee proposal it is not illegal for an employer knowingly and willfully to hire a wetback who has illegally entered the United States.

Mr. KILGORE. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. KILGORE. I think the Senator from Illinois misinterprets the bill, which provides that the employment itself shall not constitute harboring. If it can be proved that an employer knowingly and willfully has permitted such a person to enter the United States, the bill provides that a penalty shall be imposed.

Mr. DOUGLAS. Very well; then I wish to have the Senate adopt an amendment to cover that point of employment, and to the committee amendment I shall submit my amendment and send it to the desk and ask that it be stated and considered.

The PRESIDENT pro tempore. Without objection, the action previously taken by the Senate on the committee amendment will be reconsidered, and the committee amendment is now before the Senate.

The amendment submitted by the Senator from Illinois to the committee amendment will be stated.

The CHIEF CLERK. On page 5 of the committee amendment, between lines 17 and 18, it is proposed to insert the following:

(d) Any person who shall employ any Mexican alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, when such person knows or has reasonable grounds to believe or suspect or by reasonable inquiry could have ascertained that such alien is not lawfully within the United States, or any person who, having employed such an alien without knowing or having reasonable grounds to believe or suspect that such alien is unlawfully within the United States and who could not have obtained such information by reasonable inquiry at the time of giving such employment, shall obtain information during the course of such employment indicating that such alien is not lawfully within the United States and shall fail to report such information promptly to an immigration officer, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs.

Mr. DOUGLAS. Mr. President, this is the precise language of the amendment adopted last year by the Senate.

Mr. McFARLAND. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I am very glad to yield.

Mr. McFARLAND. I hope the Senator from Illinois will not offer the amendment.

Mr. DOUGLAS. Mr. President, I have already offered the amendment to the committee amendment, and I hope my amendment to the committee amendment will be accepted.

Mr. McFARLAND. I may state to my distinguished friend from Illinois that this amendment to the committee amendment presents a highly controversial question. There are those who honestly believe that the amendment proposed by the Senator from Illinois to the committee amendment would make the proposed law too strict.

On the other hand, the bill before the Senate is proposed as stopgap legislation to enable the farmers to obtain the needed labor for another 6 months. If at the time for the renewal of the law in regard to the use of this labor, the Senator from Illinois wishes to submit his amendment, that will be a different proposition. But what will happen if the amendment is insisted upon at this time? The committee has worked a long time in preparing a compromise bill, but the bill cannot be passed by us today if it includes the amendment the Senator from Illinois has submitted to the committee amendment, because there will be considerable debate on that subject. The bill was taken up by the Senate today with the understanding, of course, that it would be passed as it is and that there would not be a great deal of controversy.

On the other hand, if we throw open to debate the subject matter of the amendment proposed by the Senator from Illinois to the committee amendment, and if we thus bring on the con-



troversty which has existed for the last 6 months, the result will be that the United States may not obtain the important fiber and food which are needed in order that our defense efforts may proceed successfully.

Mr. President, everyone must at least agree that this bill constitutes a step forward, and that those who have worked on the bill, including the Department of Labor, the Department of Agriculture, and the various agriculture organizations, have done what they think is best under the circumstances.

It would be unfortunate to throw this subject into controversy after the departments and farm organizations have agreed upon the language and after the Judiciary Committee made a unanimous recommendation that it pass as reported. As I stated before, time is important and I am hopeful we may act promptly and not in this one bill try to cure all defects in our immigration laws.

Mr. DOUGLAS. Mr. President, the language contained in my amendment to the committee amendment is nothing new. It is the precise language which was adopted last year by the Senate itself, when the question was fully discussed and when the Senate reached agreement that the penalties should be made to apply not only to those who transport such labor illegally, not only to those who conceal or harbor such labor illegally, but also to those who employ that labor which has entered this country illegally. I may say this is the real test and the real milk in the coconut. This will actually determine whether we are to have a really effective law or whether we are to have no law at all.

So I am proposing in this amendment to the committee amendment only what the Senate itself did last year. And I hope the Senate may without delay adopt this proposal again.

It is true that the amendment was eliminated in conference last year; but during the course of the debate on the amendment, the Senator from Louisiana pledged, that he was thoroughly in agreement with the principle it involves. I read from page 4539 of the daily issue of the CONGRESSIONAL RECORD for last year, or page 4427 of the permanent RECORD for April 26, 1951:

Mr. President, I wish to state that in order to further assist in connection with the wetback problem, and in conformity with the promise which I made to many members of the Mexican delegation that I would sponsor a bill to make it a punishable offense for an American employer knowingly to employ an alien illegally in this country, such a bill was prepared and introduced by me today.

The point is that whenever this issue comes up, it is said that now is not the time to dispose of it, but it should be considered at some other time. I submit that now is the time, when we are dealing with this bill. So I hope very much the Judiciary Committee and the Senate will accept the amendment, so as to reaffirm the strong position the Senate itself took last year.

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. My reason for questioning the advisability of bringing up this bill at this time was because of the situation to which the Senator has directed his remarks. As I stated a few moments ago on this floor, it was the Senator from Illinois who proposed the amendment which he now reoffers, and all of us recall that it was hotly debated, and it was finally voted upon and accepted by the Senate.

I pointed out in my discussion of this bill, which is hot off the press, so to speak, with no report on it before the Members of the Senate—which is a most incredible situation—that the proviso which is contained in it is a limiting proviso. The wetback problem is not one which is produced as a result of people getting Mexicans on a train or bus and bringing them across the border. The wetback problem is exactly what it implies—they walk across the river.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. They walk across the Rio Grande, come into the United States, and are lost in the population of the United States. The Senator from Illinois is eminently correct when he says, No. 1, that this depresses the local labor market, and, No. 2, it provides an avenue of employer blackmail. All an employer need say is, "If you do not like the working conditions and the pay, I will report you," and under this bill the wetback could be deported. But, further than that, and which I think is the real crux of this situation, it provides for human degradation. There is a time at hand when we must put a stop to this thing, and the wetback problem is the No. 1 problem which faces the country today in terms of illegal entries. It is a problem which is unique to the Southwest. It is a problem which has caused great confusion in agricultural employment throughout America.

I may say to my friend, the Senator from Illinois, that the growers in my own State, meeting with me on the eighth day of January, told me that if the wetback problem was not ended, they could not possibly compete in the agricultural market, because it is required in my State that all children attend school; there are prevailing certain social standards which are enforced by the State government, and wetbacks coming in depress the conditions, and make it completely impossible for the growers who are trying to operate legitimately to operate at all. I submit the time is at hand to consider the amendment which the Senator from Illinois offers. It has been voted upon once, and accepted by the Senate, with the same Members of the Senate, with the exception of the one who has replaced the distinguished late minority leader, and, with the same exception, every Senator has heard the debate. The RECORD is filled with debate. It seems to me that the least that can be done is for the Senate to reassert its position. If the House finds that it cannot go along with us, that is another matter; but the fact is that we should reassert the original position which we took;

and the time to do it is now, because we have before us a bill which deals directly with the wetback problem. I know of the keen interest of the Senator from Illinois in this problem. I intend to support him and I am glad he offered his amendment. That is exactly what I wanted him to do.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. McFARLAND. I agree with the distinguished Senator from Minnesota that the Senate adopted this precise language a year ago; but what did we accomplish? The bill went to the House, and agreement on a labor bill was not reached until this provision was eliminated. The pending bill has been worked out by all of the interested parties, and I believe a law on the subject can be enacted at this time if we will merely reject this amendment. I hope the Senate will reject it. I voted for a similar amendment a year ago when the Mexican labor bill was before the Senate, with the thought that inequities, if any, would be corrected in conference, but the House rejected that amendment in its entirety. One must take what he can get once in a while in life, instead of insisting upon getting everything he wants. I have not been in the habit of getting everything I wanted, and so I have usually contented myself with getting what I could and doing the best I could. I think that is what the Senate should do at this time.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. Mr. President, I direct my remarks to the position taken by the majority leader, which I know is his sincere position. He wants, as does the Senator from Minnesota, to get legislation in this field because it is important, as has been pointed out by the Senator from Louisiana and by the Senator from West Virginia [Mr. KILGORE].

All I am saying is that the process of legislation includes passage of a bill by the two Houses. It also includes, generally speaking, a conference. There is no intent on our part to delay legislation, but I do not think it would be shooting for the sky or shooting for the moon or constitute an unattainable objective if the Senate would restate and reassert what it has already indicated to be its deliberate judgment after full debate in the Eighty-second Congress.

No hearings were held on this bill. Mr. President, there is no report on this bill. The hearings which have been held on this particular measure were held by debate on the Senate floor, and, as a result of that debate, it was the considered judgment of the majority of the United States Senate at the first session of the Eighty-second Congress that the amendment to which the Senator from Illinois now points, and which he resubmits, should become the public law. That was lost in the House and, as a result of the conference, a bill came from conference with the amendment of the Senator from Illinois deleted. I submit it would be a basic retreat on the part of the Senate to accede to the defeat which it took in



conference. At least, the Senate can stand up to say that it wants the bill passed, with proper application to wetbacks. The Senate acted correctly at the last session, and the problem is no less today than it was a year ago. As a matter of fact, that is borne out by the testimony offered this morning by Archbishop Lucey and by Dr. Fuller, of the University of California. The Department of Agriculture this morning also presented testimony to the effect that the wetback problem in 1951 was worse than in 1950, and that it was expected to be worse in 1952. Under those conditions and in view of the testimony presented by eminent citizens of this country before a committee of the Congress within 2 hours from the time we now debate the bill, the evidence is on the side of the Senator from Illinois, and there is no reasonable argument which can be advanced to show that his amendment should not be adopted now when it was adopted a year ago at a time when the evidence was less convincing. I submit that, if we are to have legislation, there is a good way to get it, and that is to accept the amendment proposed by the Senator from Illinois, and to fight it out in the House of Representatives. Neither the Senator from Illinois nor the Senator from Minnesota has tried to block conference reports, but we do feel that we have a right to state our position in the body of which we are Members, and to fight for what we think is an attainable objective. Again I say the amendment of the Senator from Illinois should be adopted and included in this bill.

Mr. AIKEN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. AIKEN. The Senator from Illinois was not on the floor when I raised a question in connection with bringing up the bill; that is, why not have it apply equally to all types of aliens? I notice that the amendment offered by the Senator from Illinois applies only to Mexicans. I was wondering why it should not apply to Europeans, Asiatics, South Americans, South Pacific aliens, and all others.

Mr. DOUGLAS. I may say to the Senator from Vermont that this language was adopted last year, because we were dealing specifically with Mexican immigrants, and this bill is now being urged in order to help bring about more effective policing of illegal entrants on the Mexican border and more acceptable operations under the agreement with the Government of Mexico. Therefore, since the treaty which this bill is intended to affect deals with Mexicans, we thought the amendment should deal with Mexican labor.

Mr. AIKEN. But does the Senator think we can discriminate constitutionally against the aliens of one particular nation, or the employers of the aliens from one particular nation? As I understand, many Mexican wetbacks who are first employed on farms, later leave the farms and go into the cities. I think the remedy is not to apply the law to Mexican wetbacks alone who are on farms, but to have a law applicable to

all aliens who are illegally in the country, and to all employers of aliens, regardless of the countries from which the aliens come.

Mr. DOUGLAS. I may say to my good friend from Vermont that that was the original nature of my amendment of last year. Objection was raised that it would be difficult to ascertain, for instance, whether Canadians who crossed the line were legally or illegally in this country. In order to remove that objection, I consented to the insertion of the term "Mexican." But if the Senator from Vermont is solicitous about the subject, we shall expand it to include all of them. I welcome his support, therefore, for the amendment as a whole.

Mr. AIKEN. I think it should include all of them, I may say to the Senator from Illinois, but I know of no instances of illegal employment of Canadians, although there may have been some. Certainly it is not common. I think probably more aliens may be in this country from other countries of the world illegally than from Canada.

Mr. DOUGLAS. If it will satisfy the Senator from Vermont, I shall be glad to modify my amendment to strike out the word "Mexican" in the second line so that the provision will apply to anyone illegally admitted.

I hope that having jumped out of the frying pan to please the Senator from Vermont I shall not be pushed upon the roasting fire.

Mr. AIKEN. I thank the Senator from Illinois for modifying his amendment, which I think improves it greatly, although I shall read and study it before I promise to fight for or against it.

Mr. MAGNUSON. Mr. President, I was not present when the Senator from Illinois offered his amendment, but I am familiar with the conferences and the discussions which led up to the bill. It was originally my own bill, and it then became the bill of the Senator from West Virginia [Mr. KILGORE] and myself, and finally the bill of the Senator from Mississippi. Several departments of the Government, including the Immigration Service, foreign labor-management groups, the cooperatives, and several others, agreed upon its provisions.

The only reason, as I recall, for the absence of language similar to that which the Senator from Illinois now presents, which was contained in my original bill, was that a problem might arise, for instance, in California, where on a truck farm of 300 or 400 acres a great number of cheap laborers might be employed, and the employer would have to rely upon the contractor who transports the laborers in a truck. It might cause a hardship where great numbers come in trucks, and the employer, under the language of the Senator's amendment, might be in technical violation of the law and technically guilty of a felony. I wonder if the Senator believes that the employer would be protected under the language of the amendment. That question might be brought up as a practical matter.

Mr. DOUGLAS. The language of the amendment provides that it shall apply

only if the employer wilfully and knowingly violates the law, or if he has reasonable grounds for believing that an alien has illegally entered or by reasonable inquiry could have ascertained that fact.

Mr. MAGNUSON. But does it not also place the burden of inquiry upon the employer to make ascertainment of the fact?

Mr. DOUGLAS. I think under my amendment he should make a reasonable effort to ascertain the fact.

Mr. MAGNUSON. It would be very difficult for a large employer of this type of labor to do that. He might have a crop which he has to harvest in 3 or 4 days. He might have to triple or quadruple his normal employment. He would have no time to find out.

Mr. DOUGLAS. It would be a simple thing, as the men come in, for the straw boss to examine them.

Mr. MAGNUSON. Let me ask a further question. Is it the Senator's opinion that under the terms of his amendment if something similar to that were done it would constitute a reasonable inquiry?

Mr. DOUGLAS. Yes, certainly.

Mr. MAGNUSON. I wanted to clear that up, because the question may come up later.

Mr. CORDON. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield to the Senator from Oregon.

Mr. CORDON. I just had occasion to make a personal examination of the amendment of the Senator from Illinois. In my opinion, the bill which is pending is little more than a gesture. There are two questions which bother me. In the first place, there is a requirement on the part of an employer to make an examination over and above the information he would have available to him when he sought to employ a given individual. I should like to see an amendment that would limit its scope to two propositions: First, that the employer knew that the alien was unlawfully in this country or that there was reasonable ground to believe that he was unlawfully in this country, and stop there. Then there would be the basic requirement of knowledge on the part of the employer, which certainly ought to be adequate to justify the imposition of criminal punishment.

Second, that the employer had information which would afford reasonable ground for believing that the individual was unlawfully within the United States.

Would the Senator consider modifying his amendment to exclude the affirmative requirement of investigation, to relieve the employer of the requirement to become affirmatively a policeman thereafter?

Mr. DOUGLAS. I shall be very glad to accept such a change in language.

Mr. CORDON. With those changes I think the amendment offered by the Senator ought to go into the bill, and then we shall have teeth in it for the first time.

Mr. DOUGLAS. I shall be glad to work out such a change in phraseology.

Mr. McFARLAND. Mr. President, will the Senator from Illinois yield?



Mr. DOUGLAS. I yield, but I hope I do not have to make any further concession.

Mr. McFARLAND. The colloquy which just occurred shows that it is not practicable to try to write legislation on the floor of the Senate.

What is a reasonable inquiry? Who is going to decide what is a reasonable inquiry?

Mr. DOUGLAS. I have eliminated the words "reasonable inquiry."

Mr. McFARLAND. It is not practicable to work out legislation of this kind in a moment. The committee has brought in a compromise bill, and I hope the Senate will agree to it.

Mr. DOUGLAS. Mr. President, I have already moved that in line 2 of my amendment the word "Mexican" be eliminated. I now modify my amendment so that the provision for an inquiry on the part of the employer be eliminated, letting the remainder of the amendment stand.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Illinois. [Putting the question.] The "noes" seem to have it.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|             |                |              |
|-------------|----------------|--------------|
| Aiken       | Hennings       | Millikin     |
| Anderson    | Hill           | Monroney     |
| Bennett     | Hoyer          | Moody        |
| Brewster    | Holland        | Morse        |
| Bricker     | Humphrey       | Mundt        |
| Bridges     | Hunt           | Murray       |
| Butler, Md. | Ives           | Neely        |
| Byrd        | Jenner         | Nixon        |
| Cain        | Johnson, Colo. | O'Connor     |
| Capehart    | Johnson, Tex.  | O'Mahoney    |
| Case        | Johnson, S. C. | Pastore      |
| Chavez      | Kefauver       | Robertson    |
| Clements    | Kern           | Russell      |
| Connally    | Kilgore        | Saltonstall  |
| Cordon      | Knowland       | Smathers     |
| Douglas     | Langer         | Smith, Maine |
| Duff        | Lehman         | Smith, N. J. |
| Dworshak    | Lodge          | Smith, N. C. |
| Eastland    | Long           | Sparkman     |
| Eaton       | Magnuson       | Stennis      |
| Ellender    | Malone         | Taft         |
| Ferguson    | Martin         | Thye         |
| Flanders    | Maybank        | Tobey        |
| Frear       | McCarran       | Underwood    |
| Fulbright   | McCarthy       | Watkins      |
| George      | McClellan      | Welker       |
| Gillette    | McFarland      | Williams     |
| Green       | McKellar       | Young        |
| Hendrickson | McMahon        |              |

The PRESIDING OFFICER. A quorum is present.

CAPT. KURT CARLSEN

Mr. HUNT. Mr. President, for the information of the Members of the Senate as well as that of the galleries, I am very much pleased to say that we have with us in the gallery a very distinguished hero in the person of Capt. Kurt Carlsen of the ill-fated *Flying Enterprise*. I am wondering if the captain will be kind enough to rise so that we may all see him.

(Captain Carlsen rose and was greeted with applause.)

The PRESIDING OFFICER (Mr. FREAR in the chair). We are very glad to have Captain Carlsen with us today.

#### IMPORTANCE OF MANGANESE AND CHROMITE IN THE DEFENSE PROGRAM

Mr. ECTON. Mr. President, I shall take but a few minutes of the Senate's time to call attention to a very vital problem concerned with the defense of America.

Defense Mobilization Director Charles E. Wilson recently called attention to the accomplishments of his organization in the expansion program for production of essential materials. At the same time he warned that production facilities would soon feel the lack of certain raw materials.

I know that the Members of the Senate realize, as well as does any government agency, that the ability of this Nation to resist any foreign power or combination of powers depends upon ready sources of raw materials as well as it does upon our manpower and economic strength.

Our great steel industry, for example, cannot produce the kind of steel necessary for today's defense equipment without manganese and chromite. These two items mean more to us, in a defensive sense, than all the gold stored at Fort Knox. Yet, today we depend upon foreign production for approximately 90 percent of the 2,000,000-plus tons of manganese and chromite so necessary for steel production.

Leaders of Nazi Germany attribute their defeat in some measure to the lack of sufficient manganese, although their source of supply was much closer than ours is today. Our air and naval forces cut off that supply to a great extent.

We cannot even estimate the real price America paid for our supplies of manganese and chromite during World War II. The bonuses, the loss of life, and the shipping tonnage sent to the bottom of the sea by Hitler's submarines during our efforts to import sufficient amounts of those raw materials are beyond calculation.

Fortunately, we did overcome that costly handicap before it was too late. In the meantime, we made frantic and costly efforts to speed up American production of manganese and chrome, but we regained control of the sea lanes before our own production totaled more than one-eighth or one-tenth of our needs.

In my own State of Montana the Government spent about \$25,000,000 in facilities to produce chromite. But that required time, and the 50,000 tons of concentrates produced stand today in a pile near the scene of operation. We are still paying rent for the space it occupies. The production facilities were sold at the customary insignificant war-surplus prices.

We might not overcome shipping troubles as quickly next time we become engaged in total war. Again haste will make waste without quick production, and this could mean national disaster.

It requires 12 to 14 pounds of manganese for each ton of steel. Our needs are approximately 2,000,000 pounds of manganese per year. Montana alone furnishes approximately 10 percent of that total, and that 10 percent consti-

tutes about 90 percent of America's total production of this critically short item.

Several other States have manganese deposits. However, in one county in Montana is located the largest deposit of chromite in America.

It is many months since Russia cut off its shipments of manganese to America. It is quite willing to load us up with furs and even gold in exchange for our dollars or machines; but we can buy no manganese or other strategic materials from the Soviet.

Russia is also said to have more than 300 modern snorkel submarines. We know something of what German submarines did to allied shipping in 6 years of war. Are we to stake our entire future on the daring, courage, and strength of our merchant marine? For without capacity steel production we are almost defenseless. To ignore these facts is to invite total disaster.

I am somewhat disturbed by the lack of attention given to the development and maintenance of vigorous, healthy production of these two very strategic materials—manganese and chromite. We are now dipping heavily into our stockpiles and we have not yet actually begun to really mobilize. Our greatest weapons for defense of this Nation are still mere figures and drawings on the draftsmen's tables.

The steel industry is greatly expanding its production facilities. That means we must have still more manganese and chrome than we are using now. A shortage of these raw materials renders greater steel facilities impotent.

I seriously urge the Congress and the Office of Defense Mobilization to give greater consideration to the possible sudden loss of our foreign source of supply of manganese and chromite.

American dollars are now supporting development of the resources and industries of Europe, Asia, and Africa, and there is little doubt that large sums that we have contributed have gone into development of these strategic metals in those countries beyond the seas. That, I may say, is at least a wiser expenditure than many we have made abroad, especially if the world were at peace.

But the world is not at peace and prospects for that happy state of affairs are dim at this time. Moreover, our foreign sources of those raw materials might fall into unfriendly hands.

We appropriated large sums of money to develop synthetic rubber. Now we are practically independent as far as rubber is concerned. We have set up programs for the development of supplies of tungsten, mercury, telluride, uranium, and other necessary materials.

I have every reason to believe a similar program for the production of manganese and chromite would, within a reasonable time, make us independent of foreign sources of those metals.

No appropriation for such purpose has ever been denied since I came to the Senate, and certainly none was denied immediately preceding or during World War II.

The limited program of facilities set up more than 3 years ago is a start in the



right direction, but the capacity of facilities at Grants Pass, Oreg., Butte and Philipsburg, Mont., are entirely inadequate.

It requires large capital to develop production of manganese and chromite, as our deposits are not high grade. Present facilities for processing the ore do not warrant the investment required to produce on a scale commensurate with our needs. However, we still have several small and independent producers in several States, but the restrictions governing grade and price prohibit the operation of these independent mines. A few years ago there were about 130 such producers. Today there are about one dozen. They cannot compete with the importer who buys higher grade concentrates produced by cheap labor of Asia, Africa, and Europe.

I believe it is imperative that a broad policy be laid down by the Office of Defense Mobilization to remove the risk that we face in the event our imports may suddenly be cut off. Technical mining and metallurgical problems must be overcome because of our lower-grade domestic supply. American ingenuity can and will overcome these difficulties with the proper incentive and cooperation.

If top mobilization officials will give the manganese and chromite industry a program such as now prevails for tungsten and other strategic materials, we can be assured that our dependence on importations will be reduced to the minimum, and we shall have created a domestic industry that will benefit all industry and add immeasurably to our national security.

We must not place too much reliance in, nor remain shackled to, foreign sources of supply when that risk is entirely unnecessary.

#### NINETEEN-YEAR PATTERN OF FREE TRADE

Mr. MALONE. Mr. President, will the Senator yield?

Mr. ECTON. I am very happy to yield to the Senator from Nevada.

Mr. MALONE. I should like to ask the distinguished Senator from Montana if he is aware of the pattern, which has existed for the last 19 years, of buying and importing strategic and critical minerals and materials from foreign sources and drying up our own sources of supply through a long-range policy of free trade, as the result of which no protection is given to the labor or to the investors of this country from, as the Senator from Montana so ably said, the sweatshop and slave labor of Europe and Asia?

Mr. ECTON. I will say to the distinguished Senator from Nevada that I have been aware of that policy, and I believe all of us who come from mining States know that it has practically wrecking the mining industry in the Western States.

At this time, when we are faced with the possibility of an all-out world war, we find ourselves primarily dependent upon foreign importations for some of the most strategic metals known to man in the manufacture of essential steel.

#### SEVENTY-FIVE PERCENT OF MINES CLOSED

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. ECTON. I am glad to yield further.

Mr. MALONE. I know that the Senator from Montana is aware of the fact that 75 percent of the mines in the United States have been closed since the end of World War II because of the operation of that same free trade policy. However, is the Senator aware that not only has the mining industry suffered, but that the textile, crockery, and precision industries, and the manufacturers of all those things without which we cannot live in peace or war, are in the same category, and that all those industries have been sold down the river by the operation of the same policy?

Mr. ECTON. Yes, I realize all that.

It is hard to list the specific industries which are affected, because all of them are affected, both directly and indirectly, and at the present time we certainly are faced with a situation which makes us consider with fear and trembling what may happen overnight to our country.

Mr. MALONE. Mr. President, if the Senator from Montana will yield further, let me ask whether he is aware that we were importing about a million barrels of oil a day, and as a result the oil wells were closing on account of the rationing of the production of oil throughout the Texas and California fields, a policy which was inaugurated before the President started his police action in Korea and began to buy all the oil and all the strategic materials he could get. Is the Senator aware that even before Korea the oil industry was being curtailed?

Mr. ECTON. Yes, I am aware of that fact. If the present situation continues, we might find ourselves in the same position with respect to oil that we are in with respect to strategic materials, if it were not for the fact that in the past year American oil companies, wildcaters, and independenters have successfully discovered an entirely new field. I refer to the large field which was opened in North Dakota and Montana, and I think it will help us in this situation.

Mr. MALONE. Mr. President, if the Senator from Montana will yield further, I wish to congratulate him upon the statement he has just made.

I know he will agree with me that it is most important that we maintain the incentive for wildcatting in oil exploration and the prospecting and exploration in connection with mineral production and the incentive for the investment of private capital in the textile business, the crockery business, and other businesses, and the incentive for further investments by stockholders, so as to persuade the American people to engage in new developments and new explorations for minerals, oil, and other products. Is not that true?

Mr. ECTON. I certainly believe it is true. As the Senator from Nevada well knows, I agree with him that if our coun-

try is to remain great, we must preserve that incentive, not only in the case of investors but also in the case of the operators and the laboring men who work in those industries. If we are to destroy completely every incentive, by means of free trade, low cost competition, and higher taxes, the time will soon come when there will not be anyone at work in productive or other fields in our great land.

Mr. MALONE. Mr. President, will the Senator from Montana yield further to me?

Mr. ECTON. I yield.

Mr. MALONE. Then is it not a fact that from the time when we adopted the so-called reciprocal trade theory and placed the authority to determine tariff and import fee rates in the hands of a Secretary of State, who has no more knowledge of what makes industry feasible than a hog has about holy water, and from the time when Congress washed its hands of that responsibility, although it is the constitutional responsibility of the Congress to regulate foreign trade, we acted to lower the standard of living in the United States?

Mr. ECTON. I believe the Senator from Nevada has put his finger on a date which may have been the dividing line. I am not prepared to say definitely whether it was, but I think we can say definitely that unless we look after our own industry and our own people and our own country, any sensible person must come to the conclusion that no one else in the world will do so.

#### FAIR AND REASONABLE COMPETITION

Mr. MALONE. Mr. President, if the Senator from Montana will yield further, I would add to the fine statement he has made, by saying that the only way we can do that is by having a floor under wages and investments, sometimes called a tariff or import fee of a flexible nature, so as to provide for the differential between the wage-living standard in the United States and that abroad, so there will be a floor under those costs, with the result that when the emergency is over—of course, I hope it will be over in the near future, for now we have had 19 years of emergencies—and when normal competition exists once more, the workmen and workingwomen of the United States will know that we are operating on a basis of fair and reasonable competition to preserve their investments. Is not that the only way by which we can maintain fair and reasonable competition and preserve the incentive of our people to work and invest their money?

Mr. ECTON. I believe it is. It does not make sense to me to have our Government pay foreign importers a higher price for strategic minerals and metals and materials than the price paid to domestic producers of the same commodities. Such a procedure simply does not make sense to me.

Mr. MALONE. I agree most heartily with the Senator from Montana. Let me ask him whether he is aware that at this time, in the case of several of the minerals, we are paying the foreign pro-



ducer a higher unit price—for instance, in the case of copper, lead, zinc, and many of the other strategic minerals—than we are paying to American producers of those minerals, on whom we place a ceiling price which is relatively low.

We gift-loan to foreign countries money to enable them to outbid us in the world market for these same materials, and those countries are not subject to any ceiling price. However, at this moment the price of copper is being bandied about in Europe at from 50 to 60 cents a pound, and the price of zinc at between 25 and 30 cents a pound, whereas in the United States there is a ceiling of 24½ cents a pound on copper and a ceiling of 18 cents a pound on zinc, thanks to the action taken the other day by the Senate, which set that price as a ceiling for domestic producers, who have to pay their employees anywhere from \$11 to \$15 a day, whereas foreign labor is paid anywhere from 50 cents to \$3 or \$4 a day. They are paying these prices on our gift-loans of billions of dollars to them.

Under such circumstances I certainly agree that it does not make sense for the Senate to insist on the passage of such legislation.

Does not the Senator from Montana agree that it makes sense for us to take cognizance of the situation confronting our producers and to take steps to encourage them by establishing fair and reasonable competition through the flexible import fee principle?

Mr. ECTON. I thank the Senator from Nevada for his remarks, and I certainly agree that it is high time that we take cognizance of the discrepancy between the prices paid to our own miners and mine owners and the prices paid to foreign producers.

I thank the able Senator from Nevada very much for the contribution he has made to this discussion.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had passed, without amendment, the following bills of the Senate:

- S. 64. An act for the relief of Helen Dick;
- S. 366. An act for the relief of Stanislas d'Erceville;
- S. 471. An act for the relief of Ai Mei Yu and Ai Mei Chen;
- S. 527. An act for the relief of Youichi Nobori;
- S. 605. An act for the relief of Constance Chin Hung;
- S. 634. An act for the relief of Stela S. Ransier;
- S. 639. An act for the relief of Motoi Kano;
- S. 643. An act for the relief of Isamu Furuta;
- S. 659. An act for the relief of Ritsuko Chojin;
- S. 702. An act for the relief of Joseph Emanuel Winger;
- S. 895. An act for the relief of Dr. Yau Shun Leung;
- S. 971. An act for the relief of Ralph Albrecht Hsiao;
- S. 1120. An act for the relief of Misao Konishi;
- S. 1158. An act for the relief of Takako Kitamura Dalluge;

S. 1177. An act for the relief of Misako Kinoshita;

S. 1236. An act for the relief of Kim Song Nore;

S. 1280. An act for the relief of the minor child, Peng-siu Mei;

S. 1323. An act for the relief of Francisca Quinones;

S. 1339. An act for the relief of Dr. Chal Chang Chol;

S. 1421. An act for the relief of Masako Sugiyama;

S. 1448. An act for the relief of Robert William Lauber;

S. 1819. An act for the relief of Wolfgang Vogel;

S. 1909. An act for the relief of Henry Bongart and Evelyn Bongart;

S. 1911. An act for the relief of Michael David Liu, a minor;

S. 2095. An act for the relief of Joe Kosaka; and

S. 2158. An act for the relief of Michiyo Chiba.

#### ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2169) authorizing the acquisition by the Secretary of the Interior of the Gila Pueblo, in Gila County, Ariz., for archeological laboratory and storage purposes, and for other purposes, and it was signed by the President pro tempore.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, February 5, 1952, he presented to the President of the United States the enrolled bill (S. 2169) authorizing the acquisition by the Secretary of the Interior of the Gila Pueblo, in Gila County, Ariz., for archeological laboratory and storage purposes, and for other purposes.

#### PREVENTION OF ILLEGAL ENTRY OF ALIENS

The Senate resumed the consideration of the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally.

Mr. DOUGLAS. Mr. President, in the interest of simplification and to meet the suggestions of the Senator from Oregon [Mr. CORDON], I further modify my amendment to the committee amendment, and I request that the amendment as now modified be read.

The PRESIDENT pro tempore. The amendment as now modified will be read.

The LEGISLATIVE CLERK. As modified, the amendment to the committee amendment reads as follows:

On page 5, after line 17, insert the following:

"Any person who shall employ any alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States under the terms of this act or under any other law relating to the immigration or expulsion of aliens, when such person knows or has reasonable grounds to believe that such alien is not lawfully within the United States, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs."

Mr. DOUGLAS. Mr. President, this amendment is designed to make the pending bill effective. The bill as now

drawn merely imposes penalties for those who bring labor illegally into the United States or who harbor labor illegally. We well know that in the case of the Mexicans they are not brought in. They come across the Rio Grande River generally when it is rather low. Sometimes they get their backs wet, sometimes they only get their feet wet. They come in to the United States illegally by the hundreds of thousands each year. At present the immigration authorities are virtually helpless in dealing with them. They enter in such large numbers as to drive down the wages of American farm labor; and they are not well paid, themselves.

In 1950, Mexican labor in the lower Rio Grande Valley, according to testimony, was apparently receiving 25 cents an hour, which was half the rate paid to domestic farm labor in that area, and tended to depress the domestic labor rate to the same level. In the Imperial Valley of California, the so-called wetbacks, namely, Mexicans who had illegally entered, also received appreciably less than domestic labor. So, I think there can be no doubt that these aliens who enter this country in large numbers receive low wages; and they receive low wages in part because the employers know that they have entered illegally, and the employer, therefore, has a whip-hand over them and can turn them over to the immigration authorities if they do not accept the terms which are offered them.

The working conditions are also bad; the sanitary and housing conditions are bad; and this situation exercises a depressing influence on community standards of health and on the general level of wages for domestic labor as well.

Mr. LEHMAN and Mr. KNOWLAND addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Illinois yield; and, if so, to whom?

Mr. DOUGLAS. I yield first to the Senator from New York.

Mr. LEHMAN. Mr. President, I congratulate the Senator from Illinois on his perfected amendment, which, I believe he will agree, remedies a weakness which I pointed out in the debate earlier in the day.

Mr. DOUGLAS. That is correct.

Mr. LEHMAN. As I understand, the pending bill, without this amendment, would permit a man to employ an immigrant whom he knows to be illegally in this country. He could employ him without any question whatever. Am I correct?

Mr. DOUGLAS. At present the bill has no provision to the contrary.

Mr. LEHMAN. Therefore, this amendment which the Senator offers would remedy that very important defect in the bill, a defect which I think would render ineffective the purposes the bill is designed to accomplish. I realize that the purposes of the bill are good, and would make it possible, in my opinion, to deport the greater number of wetbacks and other aliens and women who are illegally in this country.

Mr. KNOWLAND. Mr. President, will the Senator yield?



Mr. DOUGLAS. I yield for a question.

Mr. KNOWLAND. First of all, I should like to ask the Senator from Illinois not to limit me strictly to a question. I will not take more than a minute or two of his time, but I think he wants clarity in the debate. Knowing the able Senator's fair-minded attitude, I wish, since he has mentioned the Imperial Valley, that he would take the time on one of his trips to the west coast to go into the Imperial Valley. I think the Senator would find that the Mexican labor employed there is being paid a wage comparable with wages paid other laborers for comparable work in the Imperial Valley and that the conditions in the valley with respect to the reception centers, and so forth, are satisfactory. I think the Senator would so judge them if he should go there to see them, as I have done.

For the reasons which I pointed out earlier, the labor which has crossed the border into the United States has returned to Mexico with substantial accumulations of wages, a thing which is beneficial to themselves and their families when they go back to Mexico. Furthermore, they go back with suitcases filled with merchandise which they have been able to purchase in this country, to take to their families. But, as I pointed out earlier in this discussion, and which is far more important, they go back with a knowledge of American agricultural methods, which will be highly beneficial to them when they resume farming in Mexico. So I certainly hope that the able Senator from Illinois will take the time and the trouble, in the investigations which I know he likes to carry on, to see for himself, without making statements such as he made regarding the Imperial Valley.

The reason I am opposed to the Senator's amendment is because of the practical situation which faces us. As I understand the situation, this bill, as it was reported unanimously by the Judiciary Committee, has come about as the result of a series of conferences, in which the Department of Labor was represented—and certainly the Department of Labor is and should be interested in the improvement of working conditions—also the Department of Agriculture, which has a great responsibility in seeing to it that our food and fiber crops are harvested in view of the very serious international situation which confronts us at this time. In addition to that, the immigration authorities have been consulted in regard to this measure, as well as the various groups representing the farmers who must harvest the crops.

The facts of the matter are that the amendment offered last year by the Senator was not accepted in conference, and it is not likely to be accepted this time. The days of harvesting are already here, in some instances, or are rapidly approaching. In my judgment, all that can happen as a result of the acceptance of the amendment of the Senator from Illinois is that the passage of this bill will be delayed, we shall not have the legislation which is needed, and it will be impossible to renew the agreement with the Mexican Government.

As a consequence, I think a great hardship will result to our own people. If the Senator, after visiting the Imperial Valley and obtaining first-hand information, desires to return to the Senate to offer a pertinent amendment to similar legislation, which will have to be introduced, I think that will be the time for him to propose his amendment.

Mr. DOUGLAS. I was glad to yield to the Senator from California for his questions. Of course, the Mexicans who come into this country illegally generally find better conditions here than they had in Mexico. If they did not find better conditions here, they would not continue to come here. But the question is not whether we afford conditions which are slightly better than those in Mexico. The question is whether we shall have an American standard for agricultural labor and not allow our farm labor to be dragged down to a point approximating the Mexican standard.

We have established what purports to be a legal way of handling the matter by contracts. We make contracts with the Mexican Government for Mexican labor to come into the United States. I believe that in the State of Texas such labor is paid 40 cents an hour, and in other sections of the country, 60 cents an hour. This can be done legally. But the point is that large farming interests in the South and the Southwest do not want to have labor under those legal conditions, because that means higher wage scales than they have to pay the labor which is illegally brought in. It is cheaper for them to have illegal labor than for them to follow the legal method which should be enforced.

Mr. KNOWLAND. Mr. President, will the Senator from Illinois yield for another question?

Mr. DOUGLAS. I yield to the Senator from California.

Mr. KNOWLAND. The Senator from Illinois does not maintain, does he, that so far as the Imperial Valley of California is concerned, the workers are paid less than the legal rate? As a matter of fact, the statement was concurred in by Government officials with whom I talked in that area that in a number of instances it is costing the farmers more to employ Mexican labor because of the transportation and the bond, and they would rather have American labor if they could get it. The problem is that the crop comes along and it is either harvested or wasted. We are dealing with the Nation's food supply in this emergency.

Mr. LEHMAN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LEHMAN. I wonder if the Senator from California knows that this morning there was held a hearing conducted by a Subcommittee of the Senate Committee on Labor and Public Welfare, and that testimony was offered to the effect that in 1951 there were 600,000 foreign laborers in this country, and at the same time it was estimated that there were in the United States more than 200,000 Mexicans who had come here illegally and who had not been deported in spite of efforts made to deport them. I wonder whether the Senator from Illi-

nois will agree with me that under the provisions of the pending bill, the purpose of which I believe is good, there is no way of punishing or even discouraging anyone in connection with the employment of a man or woman whom he knows is illegally in this country. Am I correct in that?

Mr. DOUGLAS. The Senator from New York is completely correct on that point. The effects of the illegal entry of hundreds of thousands of Mexicans are not merely confined to agricultural regions. They receive their immediate employment in the agricultural regions of the South and Southwest, and then move to the North. After they have been here for a time, they go to the cities and increase the labor supply there.

In my own State there are tens of thousands of Mexicans who have illegally entered the country. The only time they are detected is when some of them get into trouble with the police, and where a police record is obtained, it is found that they do not have a certificate entitling them legally to enter the country. In those cases they are deported and sent back to Mexico. But if they do not get into trouble with the police, and most of them do not, they continue to remain here. So we are having a gradual dilution of the working force. These aliens in many cases live under conditions which are very close to peonage, because they are afraid they will be turned over to the public authorities by their employer if they do not agree to the terms which their employer suggests, and they fear that they will be deported. Therefore, they accept conditions of employment which otherwise they would not accept.

The amendment which I have modified in accordance with the suggestions of the senior Senator from Oregon [Mr. CORDON] is very simple. It merely imposes a penalty on those who employ alien laborers knowing, or with reasonable grounds to believe, they are illegally in this country. It does not require the employer to inquire whether the laborer is here legally, nor does it require the employer to serve as an enforcement agency. It merely makes the employer liable if he knows or has good grounds to believe that the laborer has illegally entered the United States.

I see no real reason why anyone should object to this amendment.

Mr. CASE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I would prefer not to do so at this time.

I cannot believe that the Senate of the United States wants to encourage cheap and illegal labor. We hear much about protecting American industry. This seems to be a case where we should protect the minimum labor standards. Unless we adopt some such amendment as this, the treaty with Mexico will tend to be a complete dead letter. For every few thousand Mexicans coming in under the treaty with Mexico, there are tens of thousands coming in under no protection at all.

The pending bill provides a penalty against those who transport labor illegally into this country. But most of these aliens do not come in busses or in



railroad trains; they come on foot. No one transports them; they transport themselves. So that section is inoperative as any great deterrent. Those laborers usually move individually to the employers; and unless we place some protective measures on the farms that employ the legal entrants, and on the wage and community standards of domestic farm workers, the gravely depressing effects of this illegal immigration will continue.

Mr. CASE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. CASE. Was not a similar provision placed in the previous bill?

Mr. DOUGLAS. That is correct. It was a stronger provision than is this one.

Mr. CASE. What happened to it?

Mr. DOUGLAS. It was eliminated in conference.

Mr. CASE. Is not the Senator afraid that if this provision is now put into the bill, there will be the same result?

Mr. DOUGLAS. No, I hope not. I think the Senate should not retreat from the position which it took. It was a sound position last year, and it is a sound position this year, and we should not back down.

Mr. CASE. Does the Senator feel that it is necessary to have this legislation on the subject?

Mr. DOUGLAS. Oh, yes. Reasonable men should have no objection to this proposal.

Mr. CASE. It failed before to get by the conference committee. Does the Senator think it will succeed this time?

Mr. DOUGLAS. Time, facts, and logic have a great influence on many people. I think the House conferees will be more amenable than they were last year.

Mr. LEHMAN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LEHMAN. Will the Senator not agree with me that it is a remarkable thing that at a time when we are trying to exclude persons who have been guilty of moral turpitude or who have committed crimes or have given definite indications that they would not be loyal to this country and might even be subversive, we are endeavoring to pass legislation which would make it difficult to exclude certain other persons for whom there has been no test whatsoever?

By the very nature of the situation, the men and women, particularly the men, who have come illegally into the United States from Mexico have been subjected to no examination, no test, and no survey. Yet they may stay here for a long period of time, even though they may not have passed any test of eligibility for immigration, and we are depriving the Government of the power to deport them because we are placing no penalty, or any other means of discouragement, upon their employers, although it is known that these aliens are in this country illegally and have passed no test whatsoever. It seems to me to be an entirely unrealistic and contradictory situation.

Mr. DOUGLAS. Certainly it leaves the back door wide open.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield to the Senator from Vermont.

Mr. AIKEN. I should like to ask the Senator from Illinois a question. Suppose an employer hires persons referred to him by the United States Employment Service, and later finds that one of them is an illegal entrant. Would the employer then be liable, or would he be justified in relying upon the employment service not to refer illegal entrants to him for employment?

Mr. DOUGLAS. The question by the Senator from Vermont is as to liability of an employer if a worker has been referred to him by the employment service?

Mr. AIKEN. That is correct. If an employer hires persons who have been referred to him by the United States Employment Service, and later finds that one of them is in this country illegally, would the employer himself then be responsible, or would the responsibility fall upon the employment service?

Mr. DOUGLAS. The employer would not be responsible under those circumstances, because the wording of the amendment is such that the employer must know or have reasonable ground to believe that the alien has illegally entered. If an alien had been referred to him by the Government Employment Service, the presumption would be that the alien was a legal entrant, and the employer in that case certainly would not be responsible.

Mr. AIKEN. I thank the Senator from Illinois.

Mr. DOUGLAS. Mr. President, while the Senator from California [Mr. KNOWLAND] is in the Chamber, in answer to questions he has raised about Imperial Valley, I should like to read from the report entitled "Migratory Labor in American Agriculture. Report of the President's Commission on Migratory Labor." At page 79 there appears the following:

Notwithstanding the strong and clear tendency for wages to rise as one moves westward, with California the highest of the group, we found wages in the Imperial Valley on the Mexican border to represent a complete reversal of this pattern. The going wage rate for common and hand labor in the Imperial Valley was 50 cents per hour. Thus Imperial Valley farm employers pay no more to get their farm work done than do farm employers in southern New Mexico and probably less than do Arizona farm employers.

I shall skip a sentence which I do not believe has any bearing, and shall resume reading, as follows:

It is thus clear that the Imperial Valley, with its large wetback traffic, represents a substantial contradiction to an otherwise consistent general tendency for farm wages to improve toward the West. The force of the Imperial Valley wetback traffic is strong enough to upset this well-established East-West wage pattern; at the same time, it is strong enough to institute in one of the high-farm-wage States of the Nation, the same type of wage differential that is found on the Texas border. While common farm

labor wages in 1950 in the Imperial Valley were 50 cents per hour, the going rate in the San Joaquin Valley was 85 cents per hour.

Mr. President, that is all I wish to say on this amendment. I hope it may be approved.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, as modified, offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. LANGER. Mr. President, I rise to speak in opposition to this modified amendment. Already the American farmer is the "fall guy" for practically all the leaders of industry, and those who live off the farmer and the worker. The small-business men usually give him a square deal.

The greatest gambler today is the farmer. He is dependent upon the weather and upon a conglomerate variety of other things which he is unable to avoid. Under this modified amendment, a group of men may be employed by a farmer who needs men to work, for example, in the sugar-beet fields. This work cannot wait. It must be done in season. If by chance one of that group is an alien, but the farmer does not know it, and does not have time while operating his farm to make an investigation, the farmer could be found guilty of a felony and be sent to a penitentiary.

It seems to me that the Senate ought to be much more interested in protecting the American farmer, who has practically everything against him, than in preventing the employment of groups of aliens from Mexico or any other country.

The committee had before it an amendment similar to this. After much discussion, the proposed amendment was discarded. The amendment now being offered on the floor is, in my opinion, an amendment which is very dangerous to the welfare of the farmer, and I hope it will be defeated.

Mr. DOUGLAS. Mr. President, I call for a vote on the amendment, as modified.

Mr. CORDON. Mr. President, I rise to speak in favor of the modified amendment to the bill. I support it because without it the bill is little more than a gesture so far as effectiveness is concerned. The bill without the amendment would be much better than no legislation, but it is not as good as it would be if it contained an effective provision such as that now offered by the Senator from Illinois.

If there is a situation along the Rio Grande where it is necessary, for the benefit of the economy of that section, for employers to hire aliens who are illegally in the United States, that is one thing. If that is the case, we should meet it as a fact. If, on the other hand, the policy of the Federal Government is to prevent the entrance of aliens into the country except in accordance with our laws; if it be the policy of the Government to prevent our citizens and others from aiding and abetting any such entry; if it be the policy to prohibit our citizens or others within our borders



giving aid and assistance to illegally-entered aliens, why should we hesitate to say to the employers that they also must use ordinary care in their employment relations? Why should we not say to them that they also have a duty to their country?

Mr. President, the amendment which is now offered has never been rejected by any conference committee because it has never before been in a bill in the form in which it now appears. The amendment which was before the conferees on a previous occasion carried two further provisions which I can readily understand were exceedingly objectionable to some. The amendment as it was rejected by the conference committee prohibited not only the employment of aliens who were unlawfully within this country when the employer knew that the aliens were here unlawfully, it not only prohibited such employment when the employer had reasonable ground to believe that the aliens were unlawfully in this country, but it prohibited such employment if the employer did not take the affirmative step of making inquiry of each of his employees.

Further than that, it required of every employer that he become an adjunct to the law enforcement service, to the Immigration Service. It required him to look up the appropriate immigration official, and seek to get from him such information as he could acquire with reference to any alien as to whom there was any question.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CORDON. I will yield in a moment.

All those provisions were in the amendment as it was adopted by the Senate and rejected by the conference.

The pending amendment simply prohibits an individual in the United States from employing an alien unlawfully within the United States under circumstances in which, first, the employer knows as a fact that he is employing an alien unlawfully within the United States, or, second, when he has possession of such knowledge as would reasonably lead him to believe that the alien is unlawfully within the United States. Only then is he in violation of law.

I now yield to the Senator from North Dakota.

Mr. LANGER. Mr. President, take the case of a farmer who needs help immediately. A group of men come along and he hires them. When he hires them, he may know that nine out of 10 have a right to be hired. The farmer assumes that the tenth man is also legally in the United States. That farmer would be placed at the mercy of the tenth man, who might blackmail him. He might work for him for a short time and then say, "Unless I get so much money from you I am going to the United States district attorney and have you arrested." In order to protect himself and keep out of the penitentiary a farmer employing

aliens might have to hire a Philadelphia lawyer.

The modified amendment provides that any farmer who has reasonable ground to believe that an alien may be in the United States illegally and hires him is in violation of the law. In other words, he can be arrested and tried before a jury on the question as to whether or not he had reasonable ground to believe that the alien was illegally within the United States. That would place another burden on the farmer, who is already overburdened by the Federal Government with scores of regulations.

Mr. CORDON. Mr. President, I disagree with my friend from North Dakota almost 100 percent. I concede that any man desiring to blackmail a farmer might lie about him and perhaps cause him some trouble. We cannot stop that by any way I know of. I know of no brand of law which can change human nature. The Senator from North Dakota is correct to that extent, but no further.

This amendment does not require any employer to make a single inquiry of any kind or character before he employs any prospective employee. He is not required to ask him whether he is an alien. He is not required to believe him if he says he is an alien. The farmer may employ any individual who seeks employment. But if he knows as a fact that the alien is unlawfully within the United States, then he may not employ him.

How can he know? In only one way could he have absolute knowledge, and that is if he saw the man cross the border. There is no other way. So if we limit this provision to personal knowledge, we have simply used words. If we include a prohibition in the case in which the employer has reasonable ground to believe that the alien is unlawfully within the United States, then we say to the employer, "You may employ any aliens who come to you seeking employment. You are not required to inquire as to whether or not they are legally within the United States. You may act on the presumption that they are entitled to be here. But if before you employ any individual, the individual himself says to you that he is illegally within the United States, and that fact can be proved, or if a dozen others say that they know he is illegally in this country because they saw him cross the Rio Grande, for example, or if you have possession of enough facts of that character—not the fact of an illegal entry, but the fact that someone has said there was an illegal entry—if there has come to your knowledge enough information from other sources, information which you are not required to seek, but of which you may be in possession, information which would lead an ordinary reasonable mind to the conclusion that a certain individual is illegally within the United States, then you may not employ him without rendering yourself liable to prosecution under this act."

There is no obligation upon the employer to do more than receive the in-

formation which comes to him. When he receives it, he need do no more than give it the ordinary evaluation which a reasoning mind gives to the information which flows past it every day.

Mr. President, we need the amendment in the bill if we are honestly to try to do the job we seek to do.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

Mr. CORDON. I am happy to yield to the Senator from West Virginia.

Mr. KILGORE. I would not myself sponsor or vote for the provision with respect to which I should like to ask the Senator a question. I wonder if the Senator from Oregon would be willing to add to the amendment the proviso that every American citizen must carry a card of identification, just as every immigrant must have his record of immigration with him, so that the employer may be assured, by an inspection of an official record, as is the case in Europe and other countries, that he is employing a person legally within the country. I wonder if the Senator and the other proponents of this amendment would want to place such a provision in the bill, to afford the employer a little safeguard.

Mr. CORDON. Mr. President, I think the inquiry is somewhat facetious. However, let me digress for a moment to suggest that I have no desire to require a dossier operation such as is required in the police countries around the world. By the same token, I believe that this amendment gives to every honest employer every protection he needs. It could not be more liberal and be at all effective. There must be some place where we can reach actions which in themselves represent the reason for the situation which we seek to control.

That situation exists because when immigrants arrive in this country they find conditions so much better than conditions in their own country that they are willing to take the chance of violating our law and make illegal entry.

What do they find here? They find employment at far higher wages than are paid in their own country. They find themselves paid with money which has a very great value when they return with it to their own country. Even though we may think that they are living in squalor here, they find a very much higher level of living than they could ever have known in their own country. So they come here.

Mr. President, the reason they find such conditions is that, having entered unlawfully, they find employment. They are not here to starve. Why, then, should we shut our eyes to one of the evils, the major evil, that of inviting aliens to violate our immigration laws while at the same time we almost guarantee them employment in this country, where, God knows, plenty of our own people could use such employment?

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. CORDON. Mr. President, if this amendment placed upon the farmer-employer in this country any obligation to do more than be ordinarily, decently re-



sponsive to the laws of his own country, I should oppose it. It does not do that. It does not require him to do any affirmative thing. It is sound legislation if any provision in the bill is sound legislation. I hope the amendment will be adopted.

Let me say before I take my seat that I am not moved by the argument that the bill itself will fail if this amendment is placed in it. I am not ready to confess futility on the part of the United States Senate. If it believes that a thing ought to be done, that thing should be done, and we should abide by the event when the result comes before us.

Mr. WELKER. Mr. President, as a taxpayer and as a farmer in eastern Oregon, represented so well by the senior Senator from Oregon [Mr. CORDON], I rise, not to prolong the debate, but to disagree with the remarks of the distinguished senior Senator from Oregon.

I wish to associate myself with the remarks of the distinguished senior Senator from North Dakota [Mr. LANGER].

In this amendment I can see only utter confusion and prospective damage to the farmers who hire migrant labor.

I wish to refer for a moment to the time when we on our farms in eastern Oregon need such labor. It may be that the beet-thinning season is on, or many other types of farm labor which must be done at once, without delay. It is a highly seasonal situation. The beets must be thinned at a particular time. The work must be done without delay. If we go into the city of Ontario, Oreg., and pick up 10 men, perhaps not one of them can speak English. We cannot take the time to find the manager in order to ascertain, with ordinary care, whether or not the men are legally in the United States. We must take the family as a group—and we hire many families—or we must take a crew as we find it without time to investigate. Assuming, Mr. President, after we get them to the camp, an individual tell us, "Well, John Jones in that crew does not have perfect admissibility in the United States," we are in violation of the law. Under the proposed amendment the farmer is criminally liable. The farmer must go to court to answer to a felony. He must hire an attorney—he must take time off to answer for a serious crime, a felony.

Mr. President, I know something about working conditions in the State of California, the State of Oregon, and the State of Idaho, and I say that we do not need this vicious amendment. It would merely open the door for many decent farmers in the hiring season to be exposed to the charge of having committed a felony, when they are not at all criminally inclined. Much serious hardship and damage can be done the farmer under this amendment.

Therefore, I shall vote against the amendment. There is no place for it in the bill. It should be defeated.

Mr. LEHMAN. Mr. President, I am very confident that my colleagues in the Senate know my position with regard to immigration. I have always felt that this country should encourage and help the entry of law-abiding men and women of good character, who have given evidence or indication that they would be

worthy citizens and not come into conflict with our laws.

By the same token, Mr. President, I have always taken the position that men and women who are in this country illegally should be deported by due process of law as promptly and as definitely as can be provided.

The men who are the subject of the bill before the Senate have come into the country illegally. There can be no doubt about that. The law itself defines the presence of these men as being illegal. I cannot understand why anyone should say that a citizen of this country, knowing that a person is in the country illegally, should not make every effort to see that the person is returned to his own country.

Under the provisions of the law as it now stands, unless it is amended by the amendment offered by the Senator from Illinois [Mr. DOUGLAS], a farmer could employ a man even though he were told by that man that he was illegally in this country. There would be no penalty inflicted whatever on a man who offered employment or gave employment to such an alien, even though he had the most definite proof, such as the proof of the prospective employee's own word, that he was in the country illegally.

Mr. President, I want to see such men returned to their own country. I want to see deported the men who have come here illegally, many of whom have been subjected to no test whatever by our immigration officials or by our State Department. I want to see the law strengthened so that they can be sent back. The pending bill alone would not accomplish that result. It would be rendered ineffective, because no penalty would be provided for the employment of men who have come into the country illegally, and who may stay here illegally for an indefinite number of years. No penalty would be provided for such illegal entry. Therefore the law could be disregarded and made completely ineffective.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

Mr. LEHMAN. I yield.

Mr. KILGORE. I have refrained from taking part in the debate. I have been sitting on the floor while other Senators have gone to lunch. I should like to see the debate concluded as soon as possible. However, does the Senator from New York realize that an alien who comes into the country illegally may remain in the country as long as 3 years and is then given an automatic stay of execution, whereas the farmer who employs such an alien would have an automatic term in the penitentiary? Are we out to get the employer, or are we out to get the wetback?

The question I should like to ask of the junior Senator from New York is this: We are dealing with men who grow millions of dollars' worth of crops. American labor will not handle what we call stoop work. It has always been necessary to import labor from abroad to do that kind of work. We used to bring in Japanese, Chinese, Filipinos, and Mexicans. If we defeat the bill we do not get a new contract; we merely

invite another invasion by wetbacks, or bankruptcy among the farmers who are concerned with the problem.

Mr. President, I believe that we should look at the problem in a logical way. I agree with the senior Senator from New York that we should eliminate illegal entries. At the same time, I am also in favor of protecting both the American worker and the American employer to the fullest extent. I believe the enactment of the bill with the amendment would invite an invasion by wetbacks. Either we would invite an invasion, or we would subject the farmers who raise the crops to bankruptcy. The farmers who are concerned raise a great canning and deep-freeze crop.

I wonder whether the senior Senator from New York realizes that we have gotten far afield here. The proposed legislation does not legalize wetbacks, and the Immigration Service says it strengthens their opportunity to catch the wetbacks. I am a little like the old mountain farmer in my State who said that he believed in doing things by the littles. We cannot accomplish it all in one fell swoop. I prefer to do it by the little. We are doing a little, at least. The Immigration Service says they can work with this bill, without the proposed amendment, and they say they can stop the illegal entries and can apprehend the aliens who have been coming in to the United States. I do not want to punish only American employers. Like my distinguished friend, the senior Senator from Illinois [Mr. DOUGLAS], I do not believe in starting 6-year-olds in college. I believe we must start them in the first grade. I realize that American employers—

Mr. DOUGLAS. Mr. President, let me say to my good friend the Senator from West Virginia—

Mr. KILGORE. Mr. President, I did not yield to the Senator from Illinois, and I wonder whether the Senator from New York, who has the floor and who yielded to me, has yielded to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I rise to a question of personal privilege.

Mr. KILGORE. Very well, Mr. President.

Mr. DOUGLAS. I think the Senator has been reading in the New Yorker an article which is unkindly in nature and which is, in my opinion, as it relates to the city of Chicago and the University of Chicago, somewhat exaggerated and at variance with the actual situation.

Mr. LEHMAN. Mr. President, I have yielded to the distinguished Senator from West Virginia.

Mr. KILGORE. Mr. President, let me say to the distinguished Senator from Illinois that I never have read the New Yorker. I was trying to draw an analogy in this respect: We have had wetbacks for so long that our employers have to be educated from the first grade up, in regard to the wetback problem; and we cannot start the employers on a college course in that subject until they have had education in the lower grades.

Although last year I was just as ambitious and just as buoyant as was the Senator from Illinois in supporting his



proposals in regard to this matter, at the same time I think we must handle it according to the suggestion of the West Virginia farmer, namely, "by the littles," and must not begin to punish Americans for things about which our predecessors in Congress were lax, and in regard to which those of us who serve in Congress are in part responsible because of our failure to provide the Immigration Service with appropriations sufficiently large to permit the employment of adequate personnel to patrol the border. My friend, the Senator from Texas, knows, as I used to know, the number of Immigration Service inspectors we maintain on the Mexican border.

So we must raise our sights in regard to the proper number of immigration inspectors and we must try to realize the present situation as it is, and must try to improve it a little at a time.

Mr. LEHMAN. Mr. President, let me ask the Senator from West Virginia whether that was a question which was addressed to me.

Mr. KILGORE. Yes; the question is, Does not the Senator think that is the situation?

Mr. LEHMAN. Mr. President, the question is a long one. [Laughter.] However, I interpret the question as an inquiry whether I wish to get after the wetbacks or after the farmers. Of course, my answer is a very simple one, namely, that I wish to get after the wetbacks. However, I am afraid this bill will render ineffective any efforts we may make to get after the wetbacks.

It may be that the contract we have had, which we now seek to extend with the Mexican Government, providing for the importation into the United States of a certain number of farm laborers, may be of value to American farmers. However, so far as I know, there is nothing in the contract which recognizes or legalizes wetbacks, except the Mexican Government, I believe, assures our Government that it will attempt to cooperate with the United States Government in stopping the entry of wetbacks. However, the Mexican Government has not stopped it, and our Government has not stopped it; and during the last growing season nearly 300,000 wetbacks were in the United States.

Mr. KILGORE. Mr. President, will the Senator from New York permit a slight additional explanation?

Mr. LEHMAN. Of course.

Mr. KILGORE. Such a person who enters the United States legally is provided with a card which has on it his photograph, fingerprints, and so forth. References have been made to a situation which the farmers in the Southwest attempt to use slave labor. We realize that the farmer there pays, in addition to wages, transportation charges and other costs for the labor. As I have said, the laborer is provided with an identification card which he carries with him to the job.

I find that without exception the Southwestern farmers wish to employ legally the laborers they need, and wish to have a legal way of getting them into the United States. That is why I concur in the bill now before the Senate

and in the committee amendment submitted to the bill.

Mr. McCLELLAN. Mr. President, I should like to ask the author of the amendment a question or two about it, if I may do so.

Mr. DOUGLAS. I shall be very glad to try to answer any questions the Senator from Arkansas may ask.

Mr. McCLELLAN. I am somewhat concerned about the portion of the amendment which reads "reasonable grounds for belief." Under that language of the amendment, would not it be possible to convict a farmer of a felony, and send him to the penitentiary, on less evidence than is required to convict a person of knowingly receiving stolen property?

In other words, the penalty for employing a wetback would thus be made more severe than the penalty which is imposed upon a person who knowingly receives stolen property and the possibility of conviction would be greater in the case of a farmer who employs such labor, for he could be convicted on less evidence and on less of a showing of guilt and less of a showing of intent.

Mr. DOUGLAS. In reply to the Senator from Arkansas, let me say that under the provisions of the amendment the Government would bear the burden of proof and would have to show beyond a reasonable doubt that the farmer in question had reasonable grounds for believing that the worker was an illegal entrant. In other words, the Government would have to demonstrate beyond a reasonable doubt that the farmer either knew or had reasonable grounds for believing that the alien was not illegally within the United States.

Mr. McCLELLAN. Yes; but the statute which would make the farmer or any other person guilty of a felony for knowingly receiving stolen property does not include a provision similar to the one the Senator from Illinois has included in his amendment to the committee amendment. In this instance the Senator from Illinois goes further and, in respect to knowledge or belief, would require more of a farmer who hires a wetback than would be required to convict a farmer or any other person for receiving stolen property.

Mr. DOUGLAS. I am not familiar with the statute in regard to receiving stolen goods, and therefore I am not competent to speak about it.

I should think that the same criminal law rule would apply to both, namely, that the burden of proof beyond a reasonable doubt would be upon the Government, and it would have to show that the employer knew or had reasonable grounds for believing that the person he was hiring was an illegal entrant.

Mr. McCLELLAN. In other words, according to my interpretation, it would take less proof to send a farmer to the penitentiary for trying to harvest his crop if he happened to hire a wetback to help him harvest it, than it would to send a professional "fence" to the penitentiary for knowingly receiving stolen property.

I should like to ask the Senator from Illinois another question: In this case

are we not making a felon out of a farmer because he employs someone who happens to be illegally in the United States, to help him harvest his crop, rather than to permit the crop to go to waste and deteriorate and spoil, whereas it is the responsibility of the Federal Government itself to police the border and to keep out such persons? Thus we would make the farmer a victim of the Government's own failure and inefficiency in policing the border, so far as immigration is concerned. Is not that true?

Mr. DOUGLAS. I am sure the Senator from Arkansas joins me in the high respect and regard I hold for the competence and ability of the senior Senator from Louisiana [Mr. ELLENDER] who, I may say, originally drafted a bill far more stringent than the amendment I am proposing. The Senator from Louisiana had that proposal incorporated in a separate bill which he introduced last year as S. 1391; and what is referred to as the Douglas amendment of last year is really the Ellender amendment somewhat watered down.

This year the amendment is a still further dilution of the Ellender bill, and I am quite certain that the senior Senator from Louisiana would take every proper step to protect the planters and the agriculturists.

I am even more lenient on them than was the senior Senator from Louisiana. So I am sure the historic explanation I have given should serve to assure the Senator from Arkansas that I have not advocated unduly severe penalties on American farmers. If my amendment is more strict than the existing law in reference to receiving stolen property, it is just possible that a legal provision dealing with the labor of human beings and affecting community and farm labor standards generally ought to afford these greater protections.

The PRESIDENT pro tempore. The question is on agreeing to the modified amendment of the Senator from Illinois [Mr. DOUGLAS] to the committee amendment.

Mr. WELKER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|             |                 |              |
|-------------|-----------------|--------------|
| Alken       | Hennings        | Millikin     |
| Anderson    | Hill            | Monroney     |
| Bennett     | Hoey            | Moody        |
| Bricker     | Holland         | Morse        |
| Bridges     | Humphrey        | Mundt        |
| Butler, Md. | Hunt            | Murray       |
| Byrd        | Ives            | Neely        |
| Cain        | Jenner          | Nixon        |
| Capehart    | Johnson, Colo.  | O'Connor     |
| Case        | Johnson, Tex.   | O'Mahoney    |
| Chavez      | Johnston, S. C. | Pastore      |
| Clements    | Kem             | Robertson    |
| Connally    | Kilgore         | Russell      |
| Cordon      | Knowland        | Saltonstall  |
| Douglas     | Langer          | Smathers     |
| Dworschak   | Lehman          | Smith, Maine |
| Eastland    | Lodge           | Smith, N. J. |
| Eaton       | Long            | Smith, N. C. |
| Ellender    | Magnuson        | Sparkman     |
| Ferguson    | Malone          | Stennis      |
| Flanders    | Martin          | Thye         |
| Frear       | Maybank         | Tobey        |
| Fulbright   | McCarran        | Underwood    |
| George      | McClellan       | Watkins      |
| Gillette    | McFarland       | Welker       |
| Hayden      | McKellar        | Williams     |
| Hendrickson | McMahon         | Young        |



The PRESIDENT pro tempore. A quorum is present.

The question is on agreeing to the amendment, offered by the Senator from Illinois, as modified.

Mr. DOUGLAS and other Senators asked for the yeas and nays.

The yeas and nays were not ordered.

Mr. STENNIS. Mr. President, I shall not detain the Senate more than a very few minutes to give a statement of the factual operation of labor from Mexico as it applies to the cotton-picking problem in Mississippi. These laborers from Mexico are used for only a few weeks, during the peak of the cotton-picking season. My State is approximately a thousand miles from the Mexican border. There is considerable competition for those workers. Men are brought in by trucks, motor transportation, some times arriving in the night. There is considerable confusion and scrambling. They are there only a few weeks. If they are not used during those few weeks, it is sometimes too late to use them.

Mr. President, I think we are placing an unreasonable burden upon the employer who is acting in good faith, with all the facilities he may have available. I think the best statement which has been made with reference to the question, as it applies to a matter with which I am familiar, was made by the Senator from Arkansas [Mr. McCLELLAN]. I should like to ask the Senator from Arkansas if he will not compare this bill to the operation of the law regarding the receiving of stolen property. If the Senator will again explain to the Senate—

Mr. McCLELLAN. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. McCLELLAN. Mr. President, I have no desire to repeat the statement I made a few moments ago. It was made upon the basis of the pending amendment.

What we are doing, when we place in the bill the provision with reference to the farmer having reasonable grounds to believe, and so forth, is simply to require less proof to convict the farmer of a felony and send him to the penitentiary for employing a wetback than would be required to convict a professional fence for receiving stolen property, because, in order to be convicted of receiving stolen property, the law requires that he knowingly received stolen property. Here we temporize and say that of a farmer in distress, trying to harvest his crop, happens to employ a wetback who, there is reasonable ground for believing, is illegally in the country—it may be only rumor, but the farmer cannot stop to inquire—he could be convicted. But that kind of proof would not convict, under the statute, a professional fence who knowingly receives stolen property. The farmer has no other desire than to keep his crop from perishing and to preserve it. Do we want to impose on him a higher obligation when it comes to employing a wetback than we would impose on a professional fence for receiving stolen property?

Mr. STENNIS. Mr. President, I thank the Senator from Arkansas for his very fine statement and to make the point that this amendment, as I understand it, applies not only to the importation of migratory labor, but it is a general amendment to our immigration laws and will apply to all types of persons who happen to be in this country illegally.

In this connection, Mr. President, may I ask the Chair to have the pending amendment now read by the clerk?

The PRESIDENT pro tempore. The clerk will read the pending amendment.

The CHIEF CLERK. On page 5, after line 17, it is proposed to insert the following:

Any person who shall employ any alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside in the United States under the terms of this act, or under any other law relating to the immigration or expulsion of aliens, when such person knows or has reasonable grounds to believe that such alien is not lawfully within the United States, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs.

Mr. STENNIS. I thank the Chair for having the amendment read, and I wish to point out that it applies not to each general offense, but to each alien who might be involved in the transaction.

Mr. CHAVEZ. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. Of course. I am happy to yield to the Senator from New Mexico.

Mr. CHAVEZ. The Senator from Mississippi knows how hard I have worked in trying to have provisions adopted dealing with immigrants who have come into this country illegally.

Mr. STENNIS. The Senator from New Mexico has been very helpful.

Mr. CHAVEZ. I have consistently been against the wetbacks, for several reasons, including the fact that we have sufficient local labor to take care of the workload.

But in matters of law I endorse the idea that all must be treated alike. Notwithstanding the fact that I should like to see provided some kind of punishment for anyone who premeditatedly and knowingly, according to American law, employs wetbacks, I could not in conscience support this particular amendment, which makes a specialty of punishing the farmer. If the law were to apply generally to everyone, and then the farmer, knowingly, premeditatedly, and with full knowledge and intent, violated the law, I might be for some such provision.

But when it is proposed that under a certain set of circumstances the farmer is to be held guilty of an offense entirely different from any offense heretofore described in the criminal statutes, I cannot in conscience support such an amendment.

Mr. STENNIS. I appreciate the Senator's contribution.

I now yield the floor.

The PRESIDENT pro tempore. The question is on agreeing to the amendment, as modified, offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. MAGNUSON. Mr. President, I merely wish to take a minute or so to state my views upon this matter.

I should like to establish the motive and purpose of the amendment of the Senator from Illinois. The original bill, which was jointly prepared by the Senator from West Virginia [Mr. KILGORE] and myself, went even further than does the pending bill. However, we found, after many conferences with immigration officials and with others interested, that as a practical matter such drastic regulations could not be applied under present circumstances without an injustice being done to farmers who, in harvesting their crops, desired to employ wetbacks.

I therefore have to oppose this amendment; but I believe that in the omnibus immigration bill, which is designed to attack the general over-all problem of aliens, including wetbacks, which is now on the Senate calendar, an amendment might be adopted similar in language to that proposed by the Senator from Illinois. But here we have an altogether different problem.

Time is of the essence, and all the information we received was to the effect that this bill is about as strong a measure as we can pass and still solve the problem of the farmer, involving the labor—he needs to harvest his crop, and at the same time protect immigration into this country. The immigration officials have wholeheartedly agreed to the language of the bill now before the Senate.

Mr. CAIN. Will the Senator yield?

Mr. MAGNUSON. I yield the floor.

Mr. CAIN. I wish to ask my colleague a question about the pending amendment, if I may.

My understanding of the amendment is that if a farmer unintentionally hired 50 wetbacks, he would be subject, under the terms of the amendment, to a possible jail sentence of 50 years and a fine of \$50,000. Am I correct in that understanding?

Mr. MAGNUSON. I may say to my colleague that it will probably be a rare case when a farmer would be sent to jail for an offense like the one provided for. When the burden is placed upon the farmer to do something, which I think is technically the case here, he is likely to find himself in court, and it will then become a question whether he did make reasonable inquiry, and the court can decide that in any way it wishes.

I think there would be an injustice done, in this particular situation, because a farmer sometimes has to employ labor on short notice. He has little time, perhaps, and is somewhat lax in making inquiry, and he may be caught. That is why I think this matter should be taken up in connection with the general immigration law.

Mr. CAIN. My question applies to the amendment as written. I am concerned with its potentials. I think, from a reading of it, it means potentially that



a farmer is subject to a thousand-dollar fine and a year in jail, or both, for each alien discovered on his premises.

Mr. MAGNUSON. And it puts the burden on him affirmatively to act in some way. How the courts would determine whether that was adequate or reasonable, I would not know.

Mr. CAIN. I thank my colleague.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that a copy of the report of the committee on the pending bill be printed immediately following the address by the Senator from Washington.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the report (No. 1145) was ordered to be printed in the RECORD, as follows:

The Committee on the Judiciary, to which was referred the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

#### AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

"That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144), is hereby amended to read:

"SEC. 8. (a) Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise;

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States occurred less than 3 years prior thereto, transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) willfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means of transportation; or

"(4) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 5 years, or both, for each alien in respect to whom any violation of this subsection occurs: *Provided, however,* That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

"(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than 30 days."

"Sec. 2. The last proviso to the paragraph headed 'Bureau of Immigration' in title IV of the act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause No. 2 shall read:

"(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of 25 miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and"

#### PURPOSE OF THE BILL

The purpose of the bill, as amended, is to overcome a deficiency in the present law by making it an offense to harbor or conceal aliens who have entered this country illegally and to strengthen the law generally in preventing aliens from entering or remaining in the United States illegally.

#### STATEMENT

While section 8 of the Immigration Act of 1917 (8 U. S. C. 144) purports to make it an offense to harbor or conceal aliens who have entered this country illegally, the Supreme Court in *United States v. Evans* (333 U. S. 483), held that the existing statute does not provide a penalty for such an offense. The instant bill, as amended, corrects this deficiency and provides upon conviction a fine not exceeding \$2,000 or imprisonment for a term not exceeding 5 years, or both.

The bill as initially introduced also provided that any "employee of the Immigration and Naturalization Service authorized and designated under regulations prescribed by the Attorney General, whether individually or as one of a class, shall have power and authority while wearing his official insignia or presenting his official credentials and engaged in the performance of his duties in the administration of laws relating to the immigration and expulsion of aliens, to go upon or within any place of employment other than a dwelling within or upon which he believes there are aliens who are illegally within the United States, for the purpose of in-

terrogating such aliens concerning their right to be or remain in the United States."

The bill, as amended, substitutes for the above-quoted language of the bill as initially introduced an administrative search warrant procedure which reads as follows:

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than 30 days."

It is the intention of the committee that there shall not be more than one assistant district director in any district who may issue administrative warrants. On the Mexican border where there are three districts of the Immigration and Naturalization Service, there will be three district directors and three assistant district directors who will be authorized to issue administrative warrants, making a total of six officials who will be so authorized. It is felt that the administrative search warrant procedure as provided in the bill will be conducive to effective enforcement of the immigration laws but will at the same time safeguard the rights of the property owners.

The bill, as amended, also strengthens the enforcement procedures of the Immigration and Naturalization Service by amending present law so that enforcement officers may, within a distance of 25 miles from any external boundary of the United States, have access to private lands but not dwellings for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States.

The bill, as amended, also provides that employment (including the usual and normal practices incident to employment) of an alien illegally in the United States shall not be deemed to constitute harboring. It is the intention of the committee that this will not, however, preclude prosecution of an employer who violates other provisions of the act.

The committee, after consideration of all of the facts, is of the opinion that the bill (S. 1851), as amended, should be enacted.

#### CHANGES IN THE PRESENT LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing laws made by the bill, as reported, are shown in the following parallel tables (existing law is shown in one column; proposed law is shown in the parallel column):

#### EXISTING LAW BRINGING IN OR HARBORING OR CONCEALING CERTAIN ALIENS; PENALTY

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter

#### PROPOSED LAW

That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144) is hereby amended to read:

"SEC. 8. (a) Any person including the owner, operator, pilot, master, commanding officer, agent or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise;



## EXISTING LAW

or to reside within the United States under the terms of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not exceeding 5 years, for each and every alien so landed or brought in or attempted to be landed or brought in.

## PROPOSED LAW

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States occurred less than 3 years prior thereto, transports or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) wilfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building, or any means of transportation; or

"(5) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 5 years, or both, for each alien in respect to whom any violation of this subsection occurs: *Provided, however,* That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

"(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than 30 days."

(ACT APPROVED AUGUST 7, 1946 (60 STAT. 865; 8 U. S. C. 110)) (AMENDING THE ACT OF FEBRUARY 27, 1925)

Any employee of the Immigration and Naturalization Service authorized so to do under regulations prescribed by the Commissioner of Immigration and Naturalization with the approval of the Attorney General, shall have power without warrant (1) \* \* \* (2) to board and search for aliens any vessel within the territorial waters of the United States, railway car, aircraft, conveyance, or vehicle, within a reasonable distance from any external boundary of the United States; and.

SEC. 2. The last proviso to the paragraph headed "Bureau of Immigration" in title IV of the act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

"(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of 25 miles from any such external boundary to have access to provide lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and."

Mr. LEHMAN, Mr. President, I should like to ask the junior Senator from Washington a question. As I heard his inquiry of his colleague, he used the word "unintentional." Am I correct in that?

Mr. CAIN. The Senator is correct.

Mr. LEHMAN. I may say that that does not reflect the purpose of the amendment under any circumstances. I might ask the Senator from Illinois to read the amendment.

Mr. CAIN. Then I would ask the same question I propounded, deleting the word "unintentional."

Mr. LEHMAN. If the Senator deletes the word "unintentional," it changes the entire purpose of the amendment.

Mr. DOUGLAS. Does the Senator from Washington wish to know the wording of the amendment?

Mr. CAIN. I was asking my colleague a question with reference to the amendment. If I have been misinformed or am uninformed, I should be grateful for any explanation the Senator from Illinois wishes to make.

Mr. DOUGLAS. The amendment I offered would impose a liability on the employer only when he "knows or has reasonable grounds to believe that such alien is not lawfully within the United States." He must know or have reasonable grounds to believe.

Mr. MAGNUSON. He must do something else also; he must make reasonable inquiry.

Mr. DOUGLAS. No; that requirement has been eliminated in the amendment as later presented, to accord with the suggestion made by the senior Senator from Oregon.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified offered by the Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS and other Senators asked for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Oklahoma [Mr. KERR] are absent on official business.

Mr. SALTONSTALL. I announce that the Senators from Nebraska [Mr. BUTLER and Mr. SEATON], the Senator from Iowa [Mr. HICKENLOOPER], the Senators from Kansas [Mr. SCHOEPPPEL and Mr. CARLSON], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] and the Senator from Ohio [Mr. TAF] are necessarily absent.

The Senator from Maine [Mr. BREWSTER], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Wisconsin [Mr. MCCARTHY] are detained on official business.

On this vote the Senator from Wisconsin [Mr. MCCARTHY] is paired with the Senator from Maine [Mr. BREWSTER]. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Maine would vote "nay."

The result was announced—yeas 12, nays 69, as follows:

## YEAS—12

|          |                 |         |
|----------|-----------------|---------|
| Cordon   | Johnston, S. C. | Morse   |
| Douglas  | Lehman          | Murray  |
| Flanders | Monroney        | Neely   |
| Humphrey | Moody           | Pastore |

## NAYS—69

|             |          |           |
|-------------|----------|-----------|
| Alken       | Cain     | Eastland  |
| Anderson    | Capehart | Ecton     |
| Bennett     | Case     | Ellender  |
| Bicker      | Chavez   | Ferguson  |
| Bridges     | Clements | Frear     |
| Butler, Md. | Connally | Fulbright |
| Byrd        | Dworshak | George    |



|                |           |              |
|----------------|-----------|--------------|
| Gillette       | Lodge     | Robertson    |
| Hayden         | Long      | Russell      |
| Hendrickson    | Magnuson  | Saltonstall  |
| Hennings       | Malone    | Smathers     |
| Hill           | Martin    | Smith, Maine |
| Hoey           | Maybank   | Smith, N. J. |
| Holland        | McCarran  | Smith, N. C. |
| Hunt           | McClellan | Sparkman     |
| Ives           | McFarland | Stennis      |
| Jenner         | McKellar  | Thye         |
| Johnson, Colo. | McMahon   | Tobey        |
| Johnson, Tex.  | Millikin  | Underwood    |
| Kem            | Mundt     | Watkins      |
| Kilgore        | Nixon     | Welker       |
| Knowland       | O'Connor  | Williams     |
| Langer         | O'Mahoney | Young        |

## NOT VOTING—15

|               |              |           |
|---------------|--------------|-----------|
| Benton        | Duff         | McCarthy  |
| Brewster      | Green        | Schoeppel |
| Butler, Nebr. | Hickenlooper | Seaton    |
| Carlson       | Kefauver     | Taft      |
| Dirksen       | Kerr         | Wiley     |

So Mr. DOUGLAS' modified amendment to the committee amendment was rejected.

Mr. DOUGLAS. Mr. President, I send to the desk another amendment which I offer, and which I should like to have the clerk read.

The amendment which I am now submitting is identical with the previous amendment except for the fact that the words "or has reasonable grounds to believe" are omitted. In this amendment we have the single standard, that it is a felony when an employer "knows that such alien is not lawfully within the United States."

Objection was made to the previous amendment on the ground that it included the phrase "or has reasonable grounds to believe" that the alien illegally entered. Some Senators seemed to feel it would be unfair if the employer merely had reasonable grounds so to believe, that he could be subjected to a penalty. This objection has been removed by the omission of the phrase referred to. I hope the objectors will not further denude the amendment of its clothing. It is now down to the irreducible minimum, namely, employment with knowledge that the laborer is an illegal entrant; and I see no good reason why the committee and the Senate should not accept the amendment. I hope very much that it will.

The PRESIDENT pro tempore. The amendment offered by the Senator from Illinois to the committee amendment will be stated.

The CHIEF CLERK. On page 5, after line 17, in the committee amendment, it is proposed to insert:

Any person who shall employ any alien not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within the United States, under the terms of this Act or any other law relating to the immigration or expulsion of aliens, when such person knows that such alien is not lawfully within the United States, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine of not exceeding \$2,000, or by imprisonment for a term not exceeding 1 year, or both, for each alien in respect to whom any violation of this section occurs.

Mr. CORDON. Mr. President, I ask for the yeas and nays.

Mr. MAGNUSON. Mr. President, if the Senator from Illinois will yield, I believe that the question of acting knowingly is provided for in the bill.

Mr. FERGUSON. Mr. President, will the Senator from Washington please speak louder?

Mr. MAGNUSON. I believe the bill now includes a penalty if one knowingly does these things, and the bill says that mere employment is not to be construed as knowing employment. That is the only difference. I see no objection to the amendment offered by the Senator from Illinois, with that one exception, that we do say that mere employment is not to be construed as knowing employment.

Mr. DOUGLAS. As I read the bill there is no specific inclusion of employment. At page 4, in subsection 4 of the bill, there is the specific exemption that employment shall not be deemed to constitute harboring.

Mr. MAGNUSON. If the Senator will read the bill he will see that subsection 4 of section 8 says: "Provided, however, That for the purposes of this section"—that is, doing wilfully or knowingly what is proscribed—"including the usual and normal practices incident to employment) shall not be deemed to constitute harboring."

Mr. DOUGLAS. I wish to point out that the bill provides that employment shall not be deemed to constitute harboring.

Mr. MAGNUSON. The bill refers to knowingly and wilfully harboring. The Senator from Illinois would eliminate that proviso by his amendment.

Mr. DOUGLAS. No, I would not change that proviso in subsection (4) on page 4; I would merely add my amendment after line 17 on page 5 of the bill.

Mr. EASTLAND. Mr. President, will the Senator from Illinois explain his amendment? I do not understand it.

Mr. DOUGLAS. The amendment merely provides that if an employer knows that an alien whom he employs is an illegal entrant he shall be guilty of a felony?

Mr. EASTLAND. Is that the amendment?

Mr. DOUGLAS. Yes.

Mr. EASTLAND. Mr. President, I cannot conceive of any amendment which could be more unfair to the farmer or the Mexican involved than the amendment proposed by the Senator from Illinois. Some farms of the agricultural industry of the Midwest, including that of the Senator's own State of Illinois, are founded to a considerable extent upon Mexican labor. Mexicans who go to Illinois to work live in south Texas. They go to Indiana, Michigan, Ohio, and Illinois to harvest vegetables. Most of those Mexicans entered this country illegally 30 or 40 years ago. They have reared families in the United States. I know one such family which has lost a son in Europe in the American Army. The farmer knows that those Mexicans came into the country illegally 30 or 40 years ago. They cannot be deported from the United States. If an attempt were made to deport such a man he would be entitled to a stay of deportation. The farmer knows that many of them are illegally in the country, because the workers usually go to the same farms year after year to do that work for the farmers.

The amendment offered by the Senator from Illinois would make a farmer in the Midwest and in the Northwest who hired such Mexicans, who he knew came to this country illegally 20, 30, or 40 years ago, and some of whom have reared families in this country, guilty of a felony. I say that nothing could be more unfair to the farmers, and nothing could be more unfair to the Mexicans, because it would eliminate such laborers from the economic life of this country. I submit that the amendment should be defeated.

The PRESIDENT pro tempore. The yeas and nays have been requested. Is the request sufficiently seconded?

The yeas and nays were not ordered.

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield for a question?

Mr. DOUGLAS. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, the argument of the Senator from Mississippi appears to me to be somewhat illogical for the purposes of this debate and for the purposes of a legitimate consideration of the question of immigration. Am I to understand, Mr. President, that although there are illegal entrants in the United States, nothing is to be done about them? Am I to understand, because an illegal act was committed, which apparently has become the accepted practice in some areas, that nothing is to be done about it, but that the act is to be condoned? If so, Mr. President, why do not we take down the immigration bars entirely? There are fine citizens of Germany who would like to come to the United States. There are fine citizens of the Scandinavian countries who would like to come to the United States. We deport such people every day. They are people of the highest type. There is nothing to the argument that an illegal entrant who has been in the country for a considerable period of time should for some reason or other be accepted. If that is to be the argument of the Senator from Mississippi, I would say that it is time a bill were introduced which would give these people citizenship status so that they can remain in this country in honor and respectability.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. DOUGLAS. I believe I have the floor, Mr. President.

Mr. EASTLAND. Mr. President, will the Senator from Illinois yield so that I may ask a question of the Senator from Minnesota?

Mr. DOUGLAS. Yes, certainly.

Mr. EASTLAND. Does the Senator from Minnesota realize that the men involved, who came to this country from Mexico 30 or 40 years ago, cannot be deported from the United States under the laws of this country?

Mr. HUMPHREY. I will accept the Senator's statement for the purpose of the argument.

Mr. EASTLAND. But that the amendment would deprive such men of a chance to make a living and would doubtlessly put farmers in jail?



Mr. HUMPHREY. Mr. President, I merely say that I shall accept the Senator's statement for the purpose of the argument. The Senator from Mississippi is a member of the Judiciary Committee, which has jurisdiction over immigration matters. I would say to him that rather than allowing the poor souls to continue to live in our country under a cloud of illegality, if the situation is as the Senator from Mississippi has pointed out, the time has come to introduce a bill to blanket such people into American citizenship, so that they may enjoy the privileges of citizenship.

However, Mr. President, I am not willing to accept the argument on the basis on which it is propounded. I say that in this Capitol Building today hearings were held at which members of our Government, distinguished leaders in the field of religion, and distinguished leaders in community action appeared and gave the committee details of the problem that confronts us. I should like to have Senators answer the statement of Archbishop Lucey, of San Antonio, Tex., who testified before the committee with respect to the nature of the wetback problem. I should like to have Senators say why it is, even though 500,000 deportations of wetbacks took place last year, that nevertheless we still have a million or more wetbacks living in this country. The explanation, as was pointed out in the testimony, lies in the lack of enforcement. Leaders of religion, lawyers, and members of the Government have testified that unless the wetback legislation is tightened up along the lines proposed by the Senator from Illinois, there is no solution to the problem. There may be no real solution in any event, but at least we can tighten up the law.

The Senator from Illinois surely has drawn up an amendment which is as reasonable as it is humanly possible to draw such an amendment. The amendment provides that man who knowingly employs an illegal entrant will be subject to the penalty of the law. The only people who could possibly want to get by without having that kind of amendment written into the law are people who would knowingly employ illegal entrants for the purpose of their own special profit, gain, or exploitation.

There are plenty of illegal entrants into the United States. The Government of Mexico is sick and tried of having the Government of the United States suck in illegal entrants, exploiting them, and then shipping them back of the process of deportation. Every month thousands upon thousands of Mexicans come across the borders illegally. They do a few weeks' work, and then the immigration officials must send them back, as many as five or six times a year. That is what we call the wetback problem. Anything that can be done to tighten up the law ought to be done. That is what the Senator from Illinois is proposing to do.

Mr. DOUGLAS. Mr. President, I should like, in one sentence, to state what it is we are trying to accomplish. We are trying to eliminate the magnet by which large numbers of Mexicans are drawn illegally across the border. That

magnet which pulls them across the border is the employment which is now open to wetbacks.

The bill as reported to the Senate by the committee does not deal with employment within the United States of persons illegally entering this country. In this amendment we are trying to reduce the volume of such illegal entries by imposing penalties upon those who knowingly employ illegal entrants. This should markedly reduce the number of such persons who cross the border. That is our purpose—not to strike at the farmers, not to penalize innocent persons, but to stop this flood of illegal immigration and restrict the importation of farm labor to the terms of the law and our agreements with Mexico.

Mr. LEHMAN. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. LEHMAN. A moment ago the Senator from Washington made the point that the amendment is unnecessary because of section 8. However, section 8 provides for penalties or punishment in the event of the transportation of such persons into the United States by illegal means, the harboring or protection of such persons who illegally enter the United States, namely, the wetbacks; and that section provides for the fining or punishment of those who knowingly encourage or induce the immigration of wetbacks into the United States by illegal methods. However, in that section no mention whatever is made of employment.

As a matter of fact, the last part of subsection (4) of section 8 does not prohibit the employment of such a person, because that subsection provides, in part:

*Provided, however, That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.*

In other words, the committee amendment would destroy one of the provisions of section 8 without in any way substituting a prohibition against knowingly employing a person who has illegally entered the United States.

Mr. DOUGLAS. That is correct.

Mr. President, I am ready to yield the floor.

Mr. MAGNUSON. Mr. President, I should like to make a short statement at this time. Reference has been made to a statement which I made a moment ago. What I said was that we are trying to prevent illegal entry into the United States and we are trying to take care of violations by persons who knowingly employ or harbor aliens whom they know to be illegally in the United States. But we would provide that the mere act of employment itself shall not be considered as knowingly harboring an alien who illegally has entered the United States.

If the Senator from Illinois and the Senator from New York will examine Senate bill 2550, Calendar No. 1072, a bill to revise the laws relating to immigration, naturalization, and nationality, they will find that it is an omnibus immigration bill which has been reported

from the Committee on the Judiciary. That bill covers all the evils which have been referred to by the Senator from Minnesota; and if the bill does not cover them, we hope to include in the bill provision for covering them.

So, I hope the Senator from Illinois will do in the case of that bill what he is trying to do in this case if he believes the omnibus bill is not so strong as he thinks it should be.

I do not see much objection to the amendment of the Senator from Illinois in connection with this minor matter, and I would be perfectly willing to accept the amendment, so far as it is within my power to do so. However, I point out that we have on the calendar the omnibus bill to which I have referred, namely, Senate bill 2550, and it will take care of the matter. Furthermore, we have ready, in connection with that bill, some amendments in the nature of a substitute, and I am a cosponsor of some of them.

Mr. LEHMAN. Let me ask the Senator from Washington whether it is a fact that Senate bill 2550 and the amendments in the nature of a substitute have not yet been acted on by the Senate.

Mr. MAGNUSON. That is true. The bill has been reported from the Judiciary Committee, however. Furthermore, the House committee held long hearings on a similar bill, and is ready to report it. For a very long time we have been hoping to have the Senate take up the entire subject of illegal immigration, which the Senator from Minnesota has discussed; and I am sure Senate bill 2550 will be sufficiently strong to cover that subject.

Again I say that I do not see much objection to the amendment submitted by the Senator from Illinois, because he would leave in the exception as to mere employment.

The PRESIDENT pro tempore. The question is on agreeing to the modified amendment of the Senator from Illinois [Mr. DOUGLAS] to the committee amendment.

Mr. LONG. Mr. President, since there probably will not be a yea-and-nay vote on the amendment of the Senator from Illinois to the committee amendment, I should like to say for the RECORD that I shall vote for the Senator's amendment in its present form. The change which has been made by the Senator from Illinois is sufficient, so far as I am concerned, when I consider the present version and the former version of the amendment, to justify me in voting for the amendment as it now has been modified.

Mr. NEELY. Mr. President, in the faint hope of checking the epidemic of mouth disease which again has broken out in the Senate, I ask unanimous consent that subsequent debate on the pending measure be limited as follows: Ten minutes on each amendment and 3 hours on the bill, for each side.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from West Virginia?



Mr. McCLELLAN. Mr. President, reserving the right to object, let me say that I did not understand that the proposal includes a provision in regard to the germaneness of amendments. In the absence of such a provision, I shall be compelled to object. I have no objection personally; however, without the inclusion of such a provision regarding germaneness, I certainly must object.

Mr. NEELY. Mr. President, the pertinent suggestion of the able Senator from Arkansas is cheerfully accepted.

The PRESIDENT pro tempore. The question is on agreeing to the unanimous-consent request, as modified, of the Senator from West Virginia. Is there objection? Without objection, it is so ordered.

The question now is on agreeing to the modified amendment of the Senator from Illinois to the committee amendment.

Mr. CORDON. Mr. President, I am surprised at the opposition which has been evidenced to this amendment, after it has been cut down to a mere skeleton and there can be no question that a person must knowingly be in violation of the law before he can stand convicted of violating it.

However, there seems to be some concern that the bill might work an injustice in the case of persons who unlawfully entered the United States many years ago, but who by virtue of the lapse of time cannot be deported from the United States. With reference to persons of that type, I suggest that they no longer are unlawfully in the United States. They may have entered unlawfully; but when the right to deport and arrest and convict them lapses, there is no law against their remaining in the United States, and any person who employs them would not be subject to the prohibition or the penalty provided in the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the modified amendment of the Senator from Illinois to the committee amendment. [Putting the question.]

The Chair is in doubt.

Mr. KNOWLAND. Mr. President, I call for a division.

Mr. EASTLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|             |                 |             |
|-------------|-----------------|-------------|
| Aiken       | George          | Malone      |
| Anderson    | Gillette        | Martin      |
| Bennett     | Green           | Maybank     |
| Brewster    | Hayden          | McCarran    |
| Bricker     | Hendrickson     | McCarthy    |
| Bridges     | Hennings        | McClellan   |
| Butler, Md. | Hill            | McFarland   |
| Byrd        | Hoey            | McKellar    |
| Cain        | Holland         | McMahon     |
| Capehart    | Humphrey        | Millikin    |
| Case        | Hunt            | Monroney    |
| Chavez      | Ives            | Moody       |
| Clements    | Jenner          | Morse       |
| Connally    | Johnson, Colo.  | Mundt       |
| Cordon      | Johnson, Tex.   | Murray      |
| Douglas     | Johnston, S. C. | Neely       |
| Dworshak    | Kem             | Nixon       |
| Eastland    | Kilgore         | O'Connor    |
| Ecton       | Knowland        | O'Mahoney   |
| Ellender    | Langer          | Pastore     |
| Ferguson    | Lehman          | Robertson   |
| Flanders    | Lodge           | Russell     |
| Frear       | Long            | Saltonstall |
| Fulbright   | Magnuson        | Smathers    |

|              |           |          |
|--------------|-----------|----------|
| Smith, Maine | Stennis   | Watkins  |
| Smith, N. J. | Thye      | Welker   |
| Smith, N. C. | Tobey     | Williams |
| Sparkman     | Underwood | Young    |

The PRESIDENT pro tempore. A quorum is present. The question is on agreeing to the second amendment of the Senator from Illinois [Mr. DOUGLAS]. [Putting the question.] The "noes" appear to have it.

Mr. DOUGLAS. I request a division. On a division, the amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to amendment. If there be no other amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ADVICE TO MR. NEWBOLD MORRIS

Mr. FERGUSON. Mr. President, Mr. Newbold Morris, new special assistant to the Attorney General, was appointed by the President to look into the question of corruption in Government. After being named, Mr. CHARLES POTTER, a Representative from Michigan who has been a member of the House Un-American Activities Committee, disclosed to the public what the record of the Un-American Activities Committee showed.

Representative POTTER has rendered yeoman service to his State and to the Nation. He has given genuine service to the committee. He is a firm believer in the principles of the Constitution and in the fundamentals of America. In giving the public this information, he was rendering a service. In effect, what he was doing was giving the public what the record shows.

The Senator from South Dakota [Mr. MUNDT] saw the printed remarks of Mr. Newbold Morris with reference to Representative POTTER. Today the Senator from South Dakota wrote a letter to Mr. Newbold Morris, and I think it is worthy of the attention not only of Members of the Senate, but others who read the CONGRESSIONAL RECORD. I ask unanimous consent that the letter be printed in the RECORD, as part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Mr. NEWBOLD MORRIS,  
Special Assistant to the Attorney General,  
The Justice Department,  
Washington, D. C.

DEAR MR. MORRIS: I was greatly disturbed this morning by newspaper stories appearing in the morning press reporting a statement issued by Congressman CHARLES POTTER, of Michigan, and your reply to the Congressman's statements.

In addition to the fact that the suggestion that the Special Assistant to the Attorney General selected by Mr. McGrath to investigate corruption in the Federal Government may have been associated with several well-known communistic fronts in this country, I am disturbed by the nature of your reply to the Potter statement and your failure to categorically deny the associations attributed to you by Mr. POTTER.

Congressman POTTER is a friend of mine. He is a distinguished Member of Congress

from the State of Michigan whose veracity is well established, and any imputations from you that his reputation and veracity are in doubt are grossly unwarranted.

I regret also that you permitted yourself to indulge in the smear tactics of the Communists by implying that Congressman POTTER is a man of no significance since you are quoted in the Washington Times-Herald of this morning as saying:

"I never heard of Congressman POTTER. Although I have no knowledge of his reputation for veracity, his statement is too asinine for reply."

"I never have been a member of any Communist-front organization—unless he is referring to the American Society for Russian Relief."

Really, Mr. Morris, that is a rather shocking statement since Congressman POTTER is not only a decorated veteran of World War II, who lost both of his legs while leading the One Hundred and Ninth Battalion of the Twenty-eighth Infantry Division in an attack near Colmar, France, but he also has established a reputation for himself in Congress as an honest, hard-hitting, patriotic American who is held in high esteem by colleagues on both sides of the aisle. He was awarded the Order of the Purple Heart with two clusters.

It is even more startling that you have never heard of Congressman POTTER by virtue of the fact that the Washington Sunday Star for January 13 of this year carried a large feature article on Congressman POTTER on his being recognized as one of the 10 outstanding young Americans in the Nation. He was given this award by the Junior Chamber of Commerce, which is a most respectable and respectable organization. Congressman POTTER was selected by a panel of 12 great Americans, including such distinguished citizens as Hon. Frank Pace, Secretary of the Army; William Green, president of the American Federation of Labor; J. Edgar Hoover, Director of the Federal Bureau of Investigation; Dean Rusk, Assistant Secretary of State, and other citizens of like standing and significance.

Incidentally, I might offer the good-natured suggestion that your choice of the word "asinine" in application to Congressman POTTER's statement was an unfortunate choice of terms. That is the very word President Truman used in trying to laugh off the original charges by Congress that the corruption in the Federal Government which you have been appointed to investigate and eliminate actually exists and that they are anything more serious than just another "red herring."

What most Americans are interested in, of course, is not your opinion of Congressman POTTER, whose reputation is well established in American history and who never has had his name linked with any communistic or subversive movements in this country, but whether or not his statement linking your name with various communistic organizations is factual or erroneous. On that point the public is certainly entitled to a frank and forthright answer, rather than simply an ill-tempered attack upon the Congressman.

As one who served for many years as a member of the Un-American Activities Committee of the House during the time I was a Member of the House, your curious answer to his specific allegations sufficiently aroused my curiosity so that I took the time today to examine the files of the Committee to Investigate Un-American Activities. Frankly, I was disappointed to discover that, in fact, the files of that committee disclose clear evidence indicating that your name has been associated with a number of communistic front organizations in this country which the Department of Justice, which has now employed you, has listed as communistic.

So that the record may be completely clear, therefore, and so that no injustice









82D CONGRESS  
2D SESSION

# S. 1851

---

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1952

Referred to the Committee on the Judiciary

---

## AN ACT

To assist in preventing aliens from entering or remaining in the  
United States illegally.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That section 8 of the Immigration Act of 1917 (39 Stat.  
4       880; 8 U. S. C. 144), is hereby amended to read:

5       “SEC. 8. (a) Any person, including the owner, operator,  
6       pilot, master, commanding officer, agent, or consignee of any  
7       means of transportation who—

8       “(1) brings into or lands in the United States, by  
9       any means of transportation or otherwise, or attempts,  
10      by himself or through another, to bring into or land in  
11      the United States, by any means of transportation or  
12      otherwise;

1           “(2) knowing that he is in the United States in vio-  
2           lation of law, and knowing or having reasonable grounds  
3           to believe that his last entry into the United States oc-  
4           curred less than three years prior thereto, transports, or  
5           moves, or attempts to transport or move, within the United  
6           States by means of transportation or otherwise, in  
7           furtherance of such violation of law;

8           “(3) willfully or knowingly conceals, harbors, or  
9           shields from detection, or attempts to conceal, harbor, or  
10          shield from detection, in any place, including any build-  
11          ing or any means of transportation; or

12          “(4) willfully or knowingly encourages or induces,  
13          or attempts to encourage or induce, either directly or  
14          indirectly, the entry into the United States of any alien,  
15          including an alien seaman, not duly admitted by an  
16          immigration officer or not lawfully entitled to enter or  
17          reside within the United States under the terms of this  
18          Act or any other law relating to the immigration or  
19          expulsion of aliens, shall be guilty of a felony, and upon  
20          conviction thereof shall be punished by a fine not exceed-  
21          ing \$2,000 or by imprisonment for a term not exceeding  
22          five years, or both, for each alien in respect to whom  
23          any violation of this subsection occurs: *Provided, how-*  
24          *ever,* That for the purposes of this section, employment



(including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

“(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

“(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than thirty days.”

SEC. 2. The last proviso to the paragraph headed

1 "Bureau of Immigration" in title IV of the Act of February  
2 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by  
3 the Act of August 7, 1946 (60 Stat. 865), is hereby further  
4 amended so that clause numbered (2) shall read:

5 " (2) within a reasonable distance from any external  
6 boundary of the United States, to board and search for  
7 aliens any vessel within the territorial waters of the  
8 United States and any railway car, aircraft, convey-  
9 ance, or vehicle, and within a distance of twenty-five  
10 miles from any such external boundary to have access to  
11 private lands, but not dwellings, for the purpose of  
12 patrolling the border to prevent the illegal entry of aliens  
13 into the United States, and".

Passed the Senate February 5 (legislative day, January  
10), 1952.

Attest:

LESLIE L. BIFFLE,

*Secretary.*





82<sup>nd</sup> CONGRESS  
2<sup>d</sup> Session

S. 1851

---

## AN ACT

---

To assist in preventing aliens from entering or remaining in the United States illegally.

---

FEBRUARY 6, 1952

Referred to the Committee on the Judiciary









## ASSISTING IN PREVENTING ALIENS FROM ENTERING OR REMAINING IN THE UNITED STATES ILLEGALLY

---

FEBRUARY 19, 1952.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

---

MR. WALTER, from the Committee on the Judiciary, submitted the  
following

### R E P O R T

[To accompany S. 1851]

The Committee on the Judiciary, to whom was referred the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to overcome a deficiency in the present law by making it an offense to harbor or conceal aliens who have entered this country illegally, and to strengthen the law generally in preventing aliens from entering or remaining in the United States illegally.

#### ANALYSIS OF THE BILL

This bill is designed to effectuate two of the three recommendations made by the President in his message to Congress on July 13, 1951, in connection with his approval of S. 984, the act amending the Agricultural Act of 1949 (Public Law 78, 82d Cong., 1st sess.).

Section 1 of this bill is designed to amend section 8 of the Immigration Act of 1917, as amended, in light of the decision of the Supreme Court of the United States in the case of *United States v. Evans* (333 U. S. 483 (1948)).

The Court held in that case that the existing statute does not provide a penalty for concealing and harboring aliens who are unlawfully in the United States. The defendant was apprehended in the act of concealing a number of aliens who had not been legally admitted to the United States and was prosecuted pursuant to the provision of section 8 of the above-cited act (8 U. S. C. 144). Although that

## 2 ALIENS ENTERING OR REMAINING IN UNITED STATES ILLEGALLY

section provides that any persons who shall bring into the United States or shall conceal any alien not lawfully admitted shall be guilty of a misdemeanor, the Supreme Court held that it was inadequate to provide a penalty for concealing or harboring such aliens.

In holding that the statute did not provide an enforceable penalty for the act of concealing, the Supreme Court recognized the uncertainty in the law, referred to the matter of supplying the deficiency, and concluded its opinion by stating:

This is a task outside the bounds of judicial interpretation. It is better for Congress, and more in accord with its function, to revise the statute than for us to guess at the revision it would make. That task it can do with precision. We could do no more than make speculation law.

Subsection (a) of this bill is designed to overcome the deficiencies in existing section 8 as illustrated by the Supreme Court decision and will also strengthen the statute generally. The accomplishment of this purpose was the first recommendation made by the President in his aforesaid message (H. Doc. 192, 82d Cong., 1st sess.).

Paragraph (1) of subsection (a) of section 1 is substantially the same as existing law found in section 8 of the Immigration Act of 1917 (8 U. S. C. 144). Paragraph (2) of the same subdivision, punishing the transporters of illegally entering aliens would require knowledge that the transported alien was in the United States in violation of law and would also require proof or reasonable grounds for belief that the transported alien had entered the United States within the preceding 3 years.

The proviso to subdivision (a) makes it clear that the employment of an alien, including the usual and normal practices incident thereto, shall not subject the employer to the charge of harboring such alien.

The President, in his message of July 13, 1951, mentioned above, requested the enactment of legislation to clearly establish the authority of personnel of the Immigration and Naturalization Service to inspect places of employment, without a warrant, where they have reason to believe that illegal immigrants are working or quartered.

Immigration officers are by statute enjoined to investigate and to examine aliens to ascertain whether they are illegally within the United States and to take such aliens into custody if it is found that they are subject to deportation. Generally speaking, it may be said that this authority may be exercised anywhere within the United States with the exception of such places as are specially protected by constitutional provisions or other laws. In such an operation of questioning and apprehending aliens there is no invasion of the constitutional amendment which guarantees freedom from unreasonable searches and seizures, since dwellings are not entered without warrant and the purpose of entering private lands and properties, other than dwellings, is to effect the arrest of aliens illegally within the United States on the basis of positive knowledge or probable cause for the belief that there are such aliens on the premises.

The bill in subsection (c) would require that immigration officers have warrants to enter upon private properties, even those not dwellings, in search of aliens who are illegally in the United States.

In addition, subsection (c) makes it clear that the warrant, not limited to a single entry, could never be effective for more than 30 days.

Section 2 of the bill relates to a problem of immigration law enforcement separate and distinct from that involving the authority of



immigration officers to go upon private property anywhere within the United States for the purpose of apprehending aliens who are illegally here. This section relates instead to the authority of border patrol officers to enter upon private lands in border areas in order that they may patrol for the purpose of preventing the illegal entry of aliens into the United States.

This section would extend the authorities conferred upon immigration officers by the act of February 27, 1925, as amended by the act of August 7, 1946 (8 U. S. C. 110), which act states generally the conditions under which activities may be performed without warrant. In addition to existing authorities, "within a reasonable distance from any external boundary," to board and search conveyances, this section would authorize immigration officers, without warrants, to enter upon private lands, but not dwellings, within 25 miles from the border, while patrolling the border in search of aliens. This would by positive legislative enactment authorize specifically that which must always have been of necessity implied from the time the border patrol was first created.

Notwithstanding that the borders of the United States, for the purpose of preventing the smuggling and illegal entry of aliens, have been patrolled continuously since 1903, and that Congress specifically authorized establishment of the border patrol in the Bureau of Immigration in 1924, and annually since that time has appropriated funds for border-patrol purposes, the statutes are silent with regard to the authority of patrol officers to enter upon private lands adjacent to the border so as to prevent the smuggling and illegal entry of aliens into the United States. In recent months the activities of the border patrol have in certain areas been seriously impaired by the refusal of some property owners along the border to allow patrol officers access to extensive border areas in order to prevent such illegal entries. This action by property owners is creating an increasingly serious situation, one which endangers the national security. It affects the sovereign right of the United States to protect its own boundaries against the entry of aliens, including those of the most dangerous classes.

The language of section 2 would adequately authorize immigration officers to continue their normal patrol activities, concerning which Congress has been well informed during the past 48 years, and which authority it unquestionably meant these officers to exercise.

Upon consideration of all the facts concerning this legislation, the committee is of the opinion that S. 1851 should be enacted and it accordingly recommends that the bill do pass.

#### CHANGES IN EXISTING LAW

In compliance with clause 2a of rule XIII of the House of Representatives, changes in existing law made by the bill, are shown in parallel columns (existing law set out in the first column and the law as it is proposed to be amended shown in the second column):

## EXISTING LAW

## BRINGING IN OR HARBORING OR CONCEALING CERTAIN ALIENS; PENALTY

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not exceeding five years, for each and every alien so landed or brought in or attempted to be landed or brought in.

## PROPOSED LAW

That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144), is hereby amended to read:

"SEC. 8. (a) Any person, including the owner, operator, pilot, master, commanding officer, agent or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise;

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States occurred less than three years prior thereto, transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) wilfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means of transportation; or

"(4) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this Act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding five years, or both, for each alien in respect to whom any violation of this subsection occurs: *Provided, however,* That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.



## EXISTING LAW

(ACT APPROVED AUGUST 7, 1946; (60 STAT. 865; 8 U. S. C. 110)) (AMENDING THE ACT OF FEBRUARY 27, 1925) ■■■

Any employee of the Immigration and Naturalization Service authorized so to do under regulations prescribed by the Commissioner of Immigration and Naturalization with the approval of the Attorney General, shall have power without warrant (1) \* \* \* (2) to board and search for aliens any vessel within the territorial waters of the United States, railway car, aircraft, conveyance, or vehicle, within a reasonable distance from any external boundary of the United States; and

## PROPOSED LAW

“(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than thirty days.”

Sec 2. The last proviso to the paragraph headed “Bureau of Immigration” in title IV of the Act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the Act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

“(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of twenty-five miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and”





Union Calendar No. 428

82D CONGRESS  
2D SESSION

**S. 1851**

[Report No. 1377]

---

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1952

Referred to the Committee on the Judiciary

FEBRUARY 19, 1952

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

---

## AN ACT

To assist in preventing aliens from entering or remaining in the  
United States illegally.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 That section 8 of the Immigration Act of 1917 (39 Stat.  
4 880; 8 U. S. C. 144), is hereby amended to read:

5 “SEC. 8. (a) Any person, including the owner, operator,  
6 pilot, master, commanding officer, agent, or consignee of any  
7 means of transportation who—

8 “(1) brings into or lands in the United States, by  
9 any means of transportation or otherwise, or attempts,  
10 by himself or through another, to bring into or land in

1 the United States, by any means of transportation or  
2 otherwise;

3 “(2) knowing that he is in the United States in vio-  
4 lation of law, and knowing or having reasonable grounds  
5 to believe that his last entry into the United States oc-  
6 curred less than three years prior thereto, transports, or  
7 moves, or attempts to transport or move, within the  
8 United States by means of transportation or otherwise,  
9 in furtherance of such violation of law;

10 “(3) willfully or knowingly conceals, harbors, or  
11 shields from detection, or attempts to conceal, harbor, or  
12 shield from detection, in any place, including any build-  
13 ing or any means or transportation; or

14 “(4) willfully or knowingly encourages or induces,  
15 or attempts to encourage or induce, either directly or  
16 indirectly the entry into the United States of any alien,  
17 including an alien seaman, not duly admitted by an  
18 immigration officer or not lawfully entitled to enter or  
19 reside within the United States under the terms of this  
20 Act or any other law relating to the immigration or  
21 expulsion of aliens, shall be guilty of a felony, and upon  
22 conviction thereof shall be punished by a fine not exceed-  
23 ing \$2,000 or by imprisonment for a term not exceeding  
24 five years, or both, for each alien in respect to whom  
25 any violation of this subsection occurs: *Provided, how-*



1        *ever*, That for the purposes of this section, employment  
2        (including the usual and normal practices incident to  
3        employment) shall not be deemed to constitute  
4        harboring.

5        “(b) No officer or person shall have authority to make  
6        any arrest for a violation of any provision of this section  
7        except officers and employees of the United States Immi-  
8        gration and Naturalization Service designated by the At-  
9        torney General, either individually or as a member of a class,  
10       and all other officers of the United States whose duty it is  
11       to enforce criminal laws.

12       “(c) When the Attorney General or any district director  
13       or any assistant district director of the Immigration and  
14       Naturalization Service has information indicating a reason-  
15       able probability that in any designated lands or other prop-  
16       erty aliens are illegally within the United States, he may  
17       issue his warrant authorizing the immigration officer named  
18       therein to go upon or within such designated lands or other  
19       property other than a dwelling in which the warrant states  
20       there may be aliens illegally within the United States, for the  
21       purpose of interrogating such aliens concerning their right to  
22       enter or to be or remain in the United States. Such warrant  
23       shall state therein the time of day or night for its use and the  
24       period of its validity which in no case shall be for more than  
25       thirty days.”

1        SEC. 2. The last proviso to the paragraph headed  
2        "Bureau of Immigration" in title IV of the Act of February  
3        27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by  
4        the Act of August 7, 1946 (60 Stat. 865), is hereby further  
5        amended so that clause numbered (2) shall read:

6                "(2) within a reasonable distance from any external  
7        boundary of the United States, to board and search for  
8        aliens any vessel within the territorial waters of the  
9        United States and any railway car, aircraft, convey-  
10        ance, or vehicle, and within a distance of twenty-five  
11        miles from any such external boundary to have access to  
12        private lands, but not dwellings, for the purpose of  
13        patrolling the border to prevent the illegal entry of aliens  
14        into the United States, and".

Passed the Senate February 5 (legislative day, January  
10), 1952.

Attest:

LESLIE L. BIFFLE,

*Secretary.*





---

---

## AN ACT

To assist in preventing aliens from entering or remaining in the United States illegally.

---

---

FEBRUARY 6, 1952

Referred to the Committee on the Judiciary

FEBRUARY 19, 1952

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed



# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued Feb. 20, 1952

For actions of Feb. 19, 1952

32nd-2nd, No. 24

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

## CONTENTS

|                              |          |                               |                |                             |               |
|------------------------------|----------|-------------------------------|----------------|-----------------------------|---------------|
| Auditing.....                | 20       | Foreign affairs, aid.....     | 11             | Prices, support.....        | 30            |
| Budget.....                  | 6        | Forests and forestry.....     |                | Roads.....                  | 27            |
| Committees.....              | 26       | .....                         | 14, 21, 24, 31 | Rubber.....                 | 32            |
| Daylight saving time...9, 23 |          | Housing loans.....            | 15, 34         | Territories and             |               |
| Electrification.....         | 36       | Labor, farm.....              | 12             | possessions.....            | 1             |
| Emergency powers.....        | 2        | Military training.....        | 10             | Trade, foreign.....         | 29            |
| Exhibition.....              | 16       | Minerals.....                 | 18, 21         | Transportation.....         | 36            |
| Expenditures.....            | 4, 6, 28 | Nominations.....              | 8              | Veterans' benefits...15, 34 |               |
| Flood control.....           | 19       | Organization, executive.7, 35 |                | Water utilization.....      |               |
| Foreign affairs.....         | 17       | Personnel.....                | 25             | .....                       | 3, 13, 22, 33 |
|                              |          | Prices, control.....          | 5              |                             |               |

**HIGHLIGHTS:** Senate debated Alaska statehood bill. Both Houses received President's recommendation for continuation of certain emergency powers beyond Japanese treaty date. Senate received Byrd Committee report on grants-in-aid to States. Sen. Byrd submitted proposed substitute for President's Budget. House committee reported bill to assist in preventing entry of wetbacks. House committee ordered water-research bill reported.

## SENATE

1. **ALASKA STATEHOOD.** Continued debate on S. 50, to grant statehood to Alaska (pp. 1135-60).
2. **EMERGENCY POWERS.** Both Houses received the President's message transmitting a proposed "Emergency Powers Continuation Act" to continue various authorities which, under existing law, would expire with the end of the state of war with Japan; to Judiciary Committee (H. Doc. 368) (pp. 1150, 1187). Two of these items provide veterans' preference on farm-tenant loans and farm-housing loans.
3. **WATER COMPACT.** The Interior and Insular Affairs Committee reported with amendments S. 1798, granting the consent of Congress to a compact entered into by Okla., Tex., and N. Mex. relating to Canadian River waters (S. Rept. 1192) (p. 1128).
4. **EXPENDITURES.** Received from the Joint Committee on Reduction of Nonessential Federal Expenditures a report on Federal grants-in-aid to States; to Appropriations Committee (S. Doc. 101) (p. 1128).
5. **PRICE CONTROL.** Sens. Bridges and Ferguson criticized OPS for hiring an information man to publicize the services of the agency, etc. (pp. 1129-30).
6. **BUDGET.** Sen. Byrd inserted his proposed substitute for the President's 1953 Budget. His alternate would reduce "Agriculture and agricultural resources" from \$1.5 billion to \$1.2 billion. (pp. 1131-4.)
7. **REORGANIZATION.** Sen. Smith, H. J., inserted Herbert Hoover's speech before the 2nd conference of the Citizens Committee for the Hoover Report, together with a background statement (pp. 1134-5).
8. **NOMINATIONS.** The Banking and Currency Committee reported favorably the nomination

of Harry A. McDonald to be RFC Administrator (p. 1164).

9. DAYLIGHT-SAVING TIME. The D. C. Committee ordered reported, but did not actually report, S. 2667, to authorize daylight-saving time in D. C. (p. D110).
10. MILITARY TRAINING. Sen. Langer inserted a telegram from Math Dahl, Commissioner of Agriculture and Labor for N. Dak., opposing military training (p. 1129).
11. FOREIGN AID. Sen. Hickenlooper inserted a Collier's magazine editorial opposing further aid to Europe until it does more to protect itself (pp. 1130-1).

#### HOUSE

12. FARM LABOR. The Judiciary Committee reported without amendment S. 1851, to assist in preventing aliens from entering or remaining in the U. S. illegally (H. Rept. 1377) (p. 1188).
13. WATER UTILIZATION. The Interior and Insular Affairs Committee ordered reported H. R. 5735, to provide for research in methods for the economical production of water suitable for agricultural, industrial, and other uses, from sea or other saline waters (p. D113); and H. R. 5368, amended, authorizing construction and maintenance of certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif. (p. D113).  
The Interior and Insular Affairs Committee reported with amendment H. R. 2470, granting the consent of Congress to a compact among Idaho, Mont., Nev., Oreg., Utah, Wash., and Wyo. for use of the waters of the Columbia River and its tributaries (H. Rept. 1380) (p. 1188).
14. FORESTS. The Judiciary Committee ordered reported H. R. 5790, amended, to prohibit the unauthorized use of the name or character "Smokey Bear" (p. D113).
15. VETERANS' HOUSING. Passed, 341-0, without amendment H. R. 5893, to make additional funds available to the Veterans' Administration for direct home and farmhouse loans to eligible veterans, under title III of the Servicemen's Readjustment Act of 1944, as amended (pp. 1165-6).
16. EXHIBITION. The Foreign Affairs Committee reported with amendment H. J. Res. 108, providing for recognition and endorsement of the International Trade Fair and Inter-American Cultural and Trade Center in New Orleans, La (H. Rept. 1379) (p. 1188).
17. FOREIGN AFFAIRS. The Foreign Affairs Committee ordered adversely reported H. Res. 514, to direct the Secretary of State to transmit to the House information relating to any agreements made by the President and the Prime Minister of Great Britain during their recent conversations (p. D112).
18. MINERALS. The Interior and Insular Affairs Committee ordered reported H. R. 4752, amending provisions of the mineral leasing laws for the second and third lease years when a valuable deposit of oil or gas is not discovered on the land during such period (p. D112).
19. FLOOD CONTROL. The Interior and Insular Affairs Committee ordered reported H. R. 4801 and H. R. 5071, to enable the Hawaiian Legislature to authorize the city and county of Honolulu and the county of Maui to issue certain bonds for flood control purposes (pp. D112-3).



to mining matters but to every vital concern of these States. It would be hard to name any Member of this Congress from the State of California who has had more to do in the growth and development of the golden State during the last 40 years than has CARL HAYDEN. He has pioneered in western development officially, a thousand times more effectively than his father could do individually and unofficially. No doubt Charles Trumbull Hayden dreamed of doing many of the same things his distinguished son, CARL, has unostentatiously, ploddingly, but persistently accomplished.

CARL HAYDEN has known Indians all his life from living among them. He knows why his father's many business trips through hostile Apache country always escaped harm. The attitude of both father and son toward Indians was not of the sob-sister, emotional kind, but rather it was the down-to-earth, practical, genuine friendliness toward these primitive neighbors, with a sincere wish to help them. If I were an American Indian I would rather have CARL HAYDEN determine the Government philosophy and action toward my people than any leader of opposing forces, such as the "turn them loose" group or the "perpetuate the primitive" school. In my judgment, CARL HAYDEN's efforts toward our Indians have added up to practical humanitarianism.

In the matter of highway building CARL HAYDEN's influence has been wide and significant. He is very much alive today and does not need a material monument, but if and when he does he has it in thousands of miles of good paved highways through a dozen western States where the highway systems have been deeply impressed with his touch. He is largely responsible for the present formula for the division of highway funds so that the western, sparsely settled, public-land States get a wise proportion of revenue, in fact, a much larger proportion relative to population than do the older eastern States. He has worked very effectively to shape public-highway policy.

His father began irrigation in the Valley of the Sun. CARL, as Congressman and now Senator, has multiplied his father's efforts more than a thousandfold. Senator HAYDEN sees opportunity for creating new wealth through Federal investment, through highways, through flood control, through reclamation, all of which will increasingly add to the Nation's wealth. Nor has he done this in any narrow provincial spirit. One of the last statements made to me by the Honorable Richard J. Welch was an appraisal of how much he and his State owed to Senator CARL HAYDEN. The same can be said by many of you from the extreme northwest concerning CARL HAYDEN's broad statesmanship. Other States as well as Arizona may well take pleasure in noting 40 years of CARL HAYDEN's service in House and Senate of the American Congress.

In concluding this brief appraisal and felicitation let me say that the great West has been very fortunate in having in the Congress of the United States, in the House of Representatives and in the

Senate a man of the character and caliber of CARL HAYDEN. Always in a position of great influence, well fortified by intimate knowledge and prompted by his great zeal for making the Far West all that his father hoped it to be, CARL HAYDEN has made it fortunate that his father left New England to become an adopted son of the West. I have spoken of Charles Trumbull Hayden as a man with a vision. The vision could not be materialized within his own lifetime, but it has been largely materialized through the influence of his son, the distinguished senior Senator of Arizona, CARL HAYDEN, by his long years of service in this Congress.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extended remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. PATTEN (at the request of Mr. YORTY) and to include an editorial.

Mr. YORTY in four instances and to include extraneous matter.

Mr. SIKES (at the request of Mr. BENNETT of Florida) and to include extraneous matter.

Mr. DEMPSEY.

Mr. EVINS in two instances.

Mr. MORANO (at the request of Mr. PATTERSON.)

Mr. PATTERSON in three instances.

Mr. PATTERSON and to include extraneous matter, which is estimated by the Public Printer to cost \$210.

Mr. DOLLIVER and to include a report from the Iowa Development Commission.

Mr. SCUDDER (at the request of Mr. HUNTER) and to include extraneous material.

Mr. WOOD of Idaho in two instances and to include extraneous matter.

Mr. ANDERSON of California and to include a report on guayule rubber.

Mr. CASE and to include an address.

Mr. SMITH of Kansas in two instances and to include extraneous matter.

Mr. HARRISON of Wyoming in two instances and to include extraneous matter.

Mr. NELSON in two instances and to include extraneous matter.

Mr. TOLLEFSON in two instances and to include extraneous matter.

Mr. VAN ZANDT (at the request of Mr. CANFIELD) and to include extraneous matter.

Mr. BAKEWELL (at the request of Mr. CANFIELD) and to include extraneous matter.

Mr. CANFIELD and to include extraneous matter.

Mr. JAVITS in four instances and to include extraneous matter.

Mr. DONOHUE in two instances and to include extraneous matter.

Mr. PHILBIN in two instances.

Mr. MULTER in four instances and to include extraneous matter.

Mr. COUDERT (at the request of Mr. KEARNEY).

Mr. SHAFER in three instances and to include extraneous matter.

Mr. REED of New York in five instances and to include extraneous matter.

Mr. PRICE (at the request of Mr. Rogers of Colorado) and to include an article.

Mr. WILLIAMS of Mississippi and to include an editorial.

Mr. ELLIOTT and to include an article. Mr. BENDER in five instances and to include extraneous matter.

Mr. DURHAM and to include a speech made by Mr. Austin last week.

Mr. DORN to revise and extend the remarks he made in the House this afternoon.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 759. An act to extend to screen vehicle contractors benefits accorded star-route contractors with respect to the renewal of contracts and adjustment of contract pay.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEANE (at the request of Mr. McCormack), for the remainder of this week, on account of illness.

Mr. HORAN (at the request of Mr. MACK of Washington), on account of death in his family.

#### ADJOURNMENT

Mr. WICKERSHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 18 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 20, 1952, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1173. A letter from the Comptroller General of the United States, transmitting a report on the audit of Federal Housing Administration for the fiscal year ended June 30, 1951, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 366); to the Committee on Expenditures in the Executive Departments, and ordered to be printed.

1174. A letter from the Comptroller General of the United States, transmitting the audit report of Reconstruction Finance Corporation for the fiscal year ended June 30, 1951, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 367); to the Committee on Expenditures in the Executive Departments, and ordered to be printed.

1175. A letter from the Acting Administrator, Reconstruction Finance Corporation, transmitting copies of the report on the Government-owned tin smelter at Texas City, Tex.; and the program for the purchase and sale of tin metal in the United States, pursuant to Public Law 125, Eightieth Congress; to the Committee on Banking and Currency.

1176. A letter from the American Academy of Arts and Letters, transmitting the official report of the American Academy of Arts and Letters for the year 1951; to the Committee on House Administration.

1177. A communication from the President of the United States, transmitting a draft of a proposed joint resolution entitled, "Joint resolution to continue in effect certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, notwithstanding the termination of the existing state of war (H. Doc. No. 368); to the Committee on the Judiciary, and ordered to be printed.



1178. A letter from the Attorney General, transmitting a letter relative to the case of Cruz Del Toro-Camposano, file No. A-7392151T CR 33838, and requesting that it be withdrawn from those before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

1179. A letter from the Secretary, National Park Trust Fund Board, National Park Service, Department of the Interior, transmitting the report for the National Park Trust Fund Board for the fiscal year 1951, pursuant to section 6 of an act approved July 10, 1935 (49 Stat. 477; 16 U. S. C. 19); to the Committee on Interior and Insular Affairs.

1180. A letter from the Secretary of the Interior, transmitting a report on the activities of the Department of the Interior in providing assistance to public school districts serving areas in which the construction of projects or features of projects, by the Bureau of Reclamation, cast an undue burden upon the facilities of such districts, pursuant to section 2 of the act of June 29, 1948 (62 Stat. 1108; 43 U. S. C. 1946 ed., Supp. II, sec. 385b); to the Committee on Interior and Insular Affairs.

1181. A letter from the Assistant Secretary of Defense, transmitting a draft of a proposed bill entitled, "A bill to authorize the transfer of hospitals and related facilities between the Veterans' Administration and the Department of Defense, and for other purposes"; to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. WALTER: Committee on the Judiciary. S. 1851. An act to assist in preventing aliens from entering or remaining in the United States illegally; without amendment (Rept. No. 1377). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLERSON: Committee on Foreign Affairs. H. R. 1511. A bill granting the consent of Congress to the Mid Valley Bridge Co., Hidalgo, Tex., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande; without amendment (Rept. No. 1378). Referred to the House Calendar.

Mr. BURLERSON: Committee on Foreign Affairs. House Joint Resolution 108. Joint resolution providing for recognition and endorsement of the International Trade Fair and Inter-American Cultural and Trade Center in New Orleans, La.; with amendment (Rept. No. 1379). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 2470. A bill granting the consent of Congress to the States of Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming to negotiate and enter into a compact for the disposition, allocation, diversion, and apportionment of the waters of the Columbia River and its tributaries, and for other purposes; with amendment (Rept. No. 1380). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:  
H. R. 6690. A bill to facilitate civil-service appointment of persons who lost opportunity

therefor because of service in the Armed Forces after June 30, 1950, and to provide certain benefits upon appointment; to the Committee on Post Office and Civil Service.

By Mr. BEALL (by request):

H. R. 6691. A bill to prohibit the sale in the District of Columbia of chicks, ducklings, and young rabbits during the 3-week period before and after Easter; to the Committee on the District of Columbia.

By Mr. BERRY:

H. R. 6692. A bill to amend section 303 of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. BRYSON:

H. R. 6693. A bill to amend section 17 of the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons informally contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs; to the Committee on the Judiciary.

H. R. 6694. A bill to amend section 6 of the Contract Settlement Act of 1944 so as to provide for fair compensation amendments to World War II formal contracts for delivery of certain strategic or critical minerals or metals; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 6695. A bill to amend title 18, United States Code, entitled, "Crimes and Criminal Procedure," with respect to State jurisdiction over offenses committed by or against Indians in the Indian country, and to confer on the State of Oregon civil jurisdiction over Indians in the State; to the Committee on the Judiciary.

By Mr. COTTON:

H. R. 6696. A bill for the relief of the State of New Hampshire and the town of New Boston, N. H.; to the Committee on the Judiciary.

By Mr. DAVIS of Tennessee:

H. R. 6697. A bill to amend the laws relating to the construction of Federal-aid highways to provide for equality of treatment of railroads and other public utilities with respect to the cost of relocation of utility facilities necessitated by the construction of such highways; to the Committee on Public Works.

By Mr. D'EWARD:

H. R. 6698. A bill to provide adequate school facilities at the Fort Peck project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL:

H. R. 6699. A bill to amend paragraph 1774, section 201, title II, of the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. GRANGER:

H. R. 6700. A bill to authorize the Secretary of the Interior to permit the prospecting, development, mining, removal, and utilization of the mineral resources of national-forest lands or lands administered for national-forest purposes or in connection with national-forest programs not subject to the operation of the general mining laws or the Mineral Leasing Act, as amended, the Mineral Leasing Act for Acquired Lands, or for the development of which no other statutory authority exists; to the Committee on Interior and Insular Affairs.

By Mr. KLEIN:

H. R. 6701. A bill to authorize the Board of Commissioners of the District of Columbia to establish daylight saving time in the District; to the Committee on the District of Columbia.

By Mr. PATMAN:

H. R. 6702. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

By Mr. PATTEN:

H. R. 6703. A bill to terminate Federal discrimination against the Indians of Arizona;

to the Committee on Interior and Insular Affairs.

By Mr. PHILLIPS:

H. R. 6704. A bill to provide for research into and demonstration of practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. POULSON:

H. R. 6705. A bill to authorize the Attorney General to conduct preference primaries for nomination of candidates for President and Vice President; to the Committee on House Administration.

By Mr. WITHROW:

H. R. 6706. A bill to amend the Seniority Act for Rural Mail Carriers to provide a method for the promotion of substitute rural carriers to the position of regular rural carrier; to the Committee on Post Office and Civil Service.

By Mr. YORTY:

H. R. 6707. A bill to authorize the Attorney General to conduct preference primaries for nomination of candidates for President and Vice President; to the Committee on House Administration.

By Mr. BRYSON:

H. J. Res. 382. Joint resolution to provide for setting aside an appropriate day as a national day of prayer; to the Committee on the Judiciary.

By Mr. KERSTEN of Wisconsin:

H. J. Res. 383. Joint resolution to safeguard the economic stability of the United States by imposing limitations on grants of new obligational authority for, and on expenditures during, the fiscal year 1953; to the Committee on Expenditures in the Executive Departments.

By Mr. SCUDDER:

H. J. Res. 384. Joint resolution to provide for the conveyance of the Muir Wood toll road by Marin County, State of California, to the United States; to the Committee on Interior and Insular Affairs.

By Mr. SIMPSON of Illinois:

H. J. Res. 385. Joint resolution proposing an amendment to the Constitution of the United States relating to nominations of candidates for President and Vice President; to the Committee on the Judiciary.

By Mr. RANKIN:

H. Con. Res. 200. Concurrent resolution to provide for the printing of a manual of veterans' rights and benefits; to the Committee on House Administration.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. ASPINALL: Memorial of Colorado State Senate, that the Congress of the United States enact legislation establishing a single purchasing and surplus property disposal department for the armed services and to provide that supervisory personnel employed by the Federal Government be not awarded extra compensation or additional rating principally by the reason of a large number of employees under supervision; to the Committee on Armed Services.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H. R. 6708. A bill for the relief of Ching Zoi Dong; to the Committee on the Judiciary.









## CONSIDERATION OF S. 1851

---

FEBRUARY 21, 1952.—Referred to the House Calendar and ordered to be printed

---

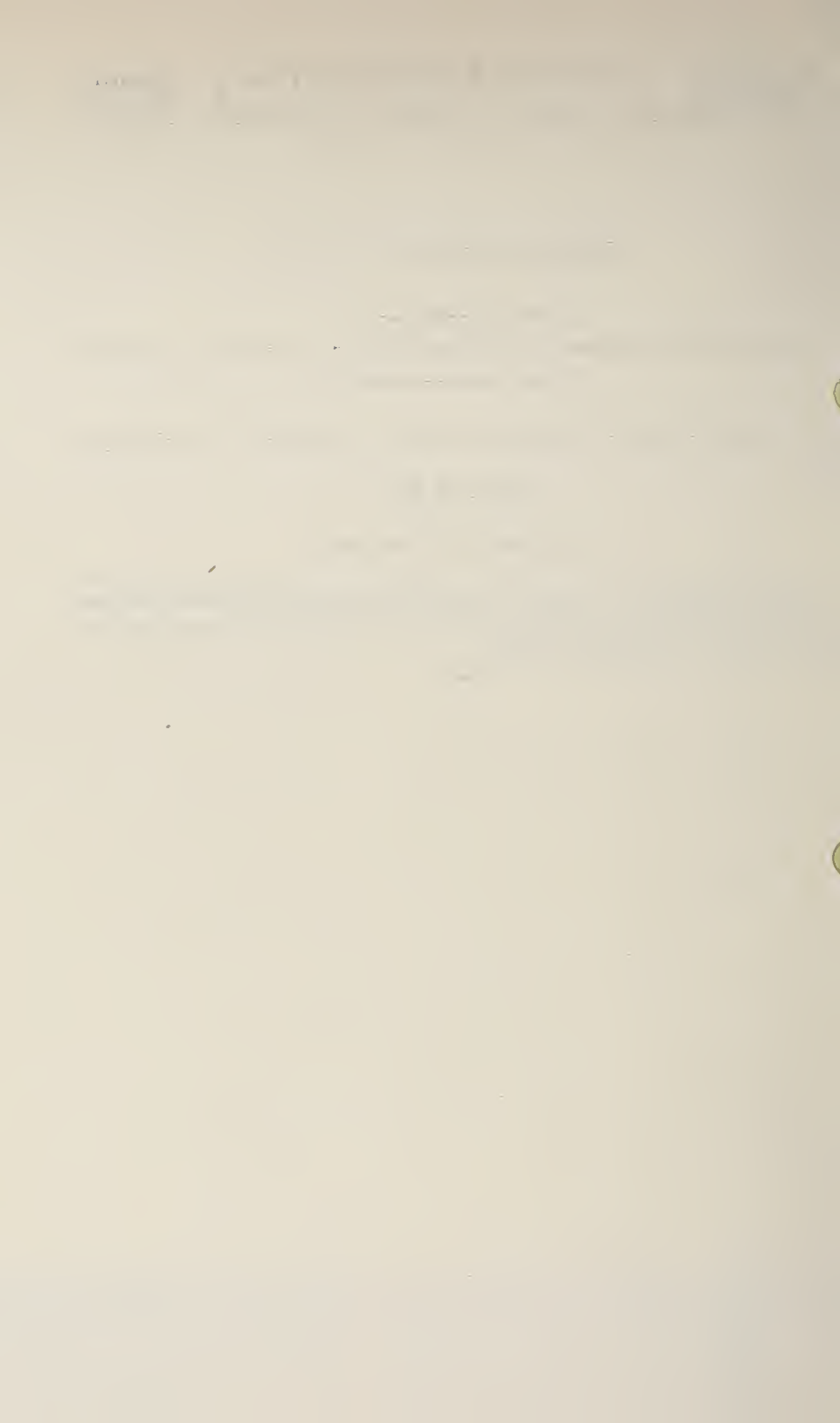
Mr. LYLE, from the Committee on Rules, submitted the following

### REPORT

[To accompany H. Res. 529]

The Committee on Rules; having had under consideration House Resolution 529, reports the same to the House with the recommendation that the resolution do pass.







## House Calendar No. 125

82<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. RES. 529

[Report No. 1402]

---

### IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 1952

Mr. LYLE, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

---

## RESOLUTION

1       *Resolved*, That immediately upon the adoption of this  
2 resolution it shall be in order to move that the House re-  
3 solve itself into the Committee of the Whole House on the  
4 State of the Union for the consideration of the bill (S. 1851)  
5 to assist in preventing aliens from entering or remaining  
6 in the United States illegally. That after general debate,  
7 which shall be confined to the bill and continued not to ex-  
8 ceed two hours, to be equally divided and controlled by  
9 the chairman and ranking minority member of the Com-  
10 mittee on the Judiciary, the bill shall be read for amendment  
11 under the five-minute rule. At the conclusion of the con-  
12 sideration of the bill for amendment, the Committee shall

1 rise and report the bill to the House with such amendments  
2 as may have been adopted and the previous question shall  
3 be considered as ordered on the bill and amendments thereto  
4 to final passage without intervening motion except one  
5 motion to recommit.

82<sup>ND</sup> CONGRESS  
2<sup>ND</sup> SESSION**H. RES. 529**

[Report No. 1402]

---

**RESOLUTION**

---

Providing for the consideration of S. 1851, a bill to assist in preventing aliens from entering or remaining in the United States illegally.

---

By Mr. LYLE

---

FEBRUARY 21, 1952

Referred to the House Calendar and ordered to be printed



# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued Feb. 25, 1952

For actions of Feb. 21, 1952

32nd-2nd, No. 26

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

## CONTENTS

|                         |    |                            |      |                         |      |
|-------------------------|----|----------------------------|------|-------------------------|------|
| Cotton.....             | 19 | Legislative program.....   | 10   | Roads.....              | 9    |
| Expenditures.....       | 6  | Military training.....     | 2,5  | Social security.....    | 11   |
| Farm production.....    | 21 | Minerals.....              | 7    | Soil conservation.....  | 20   |
| Foreign affairs.....    | 16 | Organization, executive... |      | Territories and         |      |
| Grain.....              | 17 | .....                      | 3,23 | possessions.....        | 1    |
| Labor, farm.....        | 4  | Personnel.....             | 24   | Transportation.....     | 14   |
| Lands, reclamation..... | 13 | Prices, control.....       | 18   | Veterans' benefits..... | 15   |
| Livestock and meat..... | 18 | Recreation.....            | 12   | Water utilization.....  | 8,22 |
|                         |    | Research.....              | 1    |                         |      |

**HIGHLIGHTS:** Senate debated Alaska statehood bill. Senate committee reported military training bill. Sen. Bridges urged more reorganization pursuant to Hoover Commission proposals. House Rules Committee cleared wetback-entry and military training bills. Sen. Lehman introduced and discussed, and several Representatives and Senators introduced, bills to amend Social Security Act and extend benefits to farmers and additional farm workers.

## SENATE

- ~~1. ALASKA STATEHOOD. Continued debate on S. 50, to grant statehood to Alaska. Pending at recess was a motion by Sen. Smathers to recommit the bill to the Interior and Insular Affairs Committee with instructions for a further study. (pp. 1263-4, 1266-75, 1279-81).~~
- ~~2. MILITARY TRAINING. The Armed Services Committee reported with amendment S. 2441, to provide for administration and discipline of the National Security Training Corps (S. Rept. 1265)(p. 1252).~~
- ~~3. REORGANIZATION. Sen. Bridges inserted a letter from Herbert Hoover reporting on the progress that has been made toward adoption of the Hoover Commission recommendations and the savings which have been estimated. Sen. Bridges criticized a statement which Budget Director Laxton is reported as having made to the effect that the primary purpose of the Hoover Commission was to bring efficiency rather than monetary savings. (pp. 1281-5.)~~

## HOUSE

- ~~4. FARM LABOR. The Rules Committee reported a resolution for consideration of S. 1851, to assist in preventing aliens from entering or remaining in the U. S. illegally (p. 1290).~~
- ~~5. MILITARY TRAINING. The Rules Committee reported a resolution for the consideration of H. R. 5904, to provide for the administration and discipline of the National Security Training Corps.(p. 1290).~~
- ~~6. EXPENDITURES. Rep. Hoffman, Mich., stated that the Federal Government and the~~

public debt cannot continue to expand, and continued contributions to United Nations and other international organizations and causes will drain the resources of the country. He inserted a Collier's magazine editorial opposing the continued expansion of the Federal Government. (PP. 1287-8)

7. MINERALS. The Interior and Insular Affairs Committee reported without amendment H. R. 4752, to amend the mineral leasing laws in order to eliminate the waiver of rentals for oil and gas leases (H. Rept. 1411) (p. 1292).
8. IRRIGATION. The Interior and Insular Affairs Committee reported with amendment H. R. 5368, to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other waterwork facilities by the Department of Interior and the Navy Department (H. Rept. 1412) (p. 1292).
9. ROADS. Agreed without amendment to H. J. Res. 387, changing the name of the Blue Ridge Parkway to the "Robert L. Doughton Parkway" (pp. 1288-9).
10. LEGISLATIVE PROGRAM. Majority Leader McCormack announced that S. 1851, the "wetback" bill is to be considered Mon., Feb. 25, and that consideration of H. R. 5904, the military training bill, is to begin Tues., Feb. 26 (p. 1289).

#### BILLS INTRODUCED

11. SOCIAL SECURITY. S. 2705, by Sen. Lehman (for himself and Sens. Murray, Magnuson, and Humphrey); H. R. 6750, by Rep. Dingell, Mich.; H. R. 6751, by Rep. Roosevelt, N. Y.; H. R. 6752, by Rep. Jackson, Wash.; and H. R. 6753, by Rep. Mitchell, Wash.; to extend and improve the old-age and survivors insurance system; and to provide permanent and total disability insurance and rehabilitation benefits; to Ways and Means Committee and S. Finance Committee (pp. 1253, 1292-3). Sen. Lehman inserted a statement explaining the provisions and purposes of the bill (pp. 1253-61). The bills would extend OASDI coverage to an estimated 3,500,000 farm operators with net earnings of at least \$400, and an estimated additional 2,800,000 farm workers.
12. RECREATION. S. 2715, by Sen. Murray, to provide assistance by the U. S. in the development of community recreation programs; to Labor and Public Welfare Committee (p. 1253).
13. RECLAMATION. S. 2709, by Sen. O'Mahoney (for himself and Sen. Hunt), to amend subsections (a) and (b) of Section 9 of the Reclamation Project Act of 1939; to Interior and Insular Affairs Committee (p. 1253).
14. TRANSPORTATION. S. 2712, by Sen. Magnuson, to amend the Interstate Commerce Act, as amended, to subject freight forwarders to the requirement for obtaining certificates of public convenience and necessity, and to make applicable to freight forwarders the uniform provisions of the law concerning combinations and consolidations of carriers; to Interstate and Foreign Commerce Committee (p. 1253).  
S. 2713, by Sen. Magnuson, to amend the Interstate Commerce Act, as amended, to provide more definite standards for determining who is entitled to exemption from part IV of said act as an association of shippers or a shippers' agent; to Interstate and Foreign Commerce Committee (p. 1253).
15. VETERANS' BENEFITS. H. R. 6756 and H. R. 6757, by Rep. Wickersham, Okla., to



Mr. CHATHAM. I yield to the gentleman from Georgia.

Mr. COX. I know of no way of judging a man except by the life he has lived, by the work he has done, and by what his colleagues have to say about him. Judging the distinguished gentleman from North Carolina by this rule, I find him to be pure gold. He has been worth his weight in rubies to the country that he has so long served. He is an ornament to this Congress and a favorite son of the Republic.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from Tennessee.

Mr. PRIEST. I appreciate very much what the gentleman has brought to the attention of the House. The parkway under consideration extends from the great State of North Carolina into the equally great State of Tennessee. I know all of us in that State are very happy to join in this tribute to that very great American, Mr. Bob DOUGHTON.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CHATHAM. I yield to the gentleman from Mississippi.

Mr. RANKIN. I wish to approve what has been said about my distinguished friend, Bob DOUGHTON. There is not a finer American under this flag. I wish he were President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, no one could appreciate more, as far as my capacity for appreciation extends, the confidence, consideration, and respect of my colleagues.

I had requested that the resolution for which consideration unanimous consent has just been granted not be brought up today, for different reasons. It is true I had something to do, perhaps I can modestly say more to do than any other one person, as far as I know, with the establishment of the Blue Ridge Parkway, that great boulevard which traverses the Blue Ridge Mountains from the Shenandoah National Park in Virginia to the Great Smoky Mountains National Park in North Carolina and Tennessee.

I feel that the establishment of that great parkway has been more than fully vindicated. It is now the most beautiful, scenic motor route in the world. There is no question about that. While there are several gaps that are still not closed, more than 2,000,000 tourists traveled over that parkway last year. It is within reach of half of the population of the United States. It has an average elevation of something like 5,000 feet. Some points along the road rise to 6,000 feet or more. Whatever service I have rendered in the establishment of this great parkway has been in the interests of our country, and in the interest of those engaged in motor travel looking for the most beautiful and scenic part of the United States, and for a place where they can spend their vacation in comfort and enjoy the mountain scenery as well

as the salubrious mountain climate. They have named a beautiful park located on the parkway after me, a park near my home, on land that my father and myself once owned. In my early days I worked as a farm hand on that land. The park is a popular one. They have facilities there to take care of people who visit there to visit the park and to travel along the parkway. But so far as naming the Blue Ridge Parkway by any other name, I want to say that the name Blue Ridge Parkway is an appropriate name because this great parkway traverses 500 miles through the Blue Ridge Mountains, and therefore is a very appropriate name. The Park Service has selected that name, and from what I have heard I am sure they would not like to have the name changed. It would be an interference with their plans and programs with reference to the parkway. Our State has spent millions of dollars in securing rights-of-way and to defray other expenses necessary in the establishment of this great boulevard, so I feel that this resolution is a mistake, as much as I appreciate the friendship and the confidence and affection and regard shown by my young, able, and distinguished friend [Mr. CHATHAM]. I would appreciate it very much if my friend would withdraw the resolution changing the name to the Robert L. Doughton Parkway.

Mr. CHATHAM. Mr. Speaker, I do not think that the National Park Service is going to tell the Congress of the United States what name we are going to give to a parkway which goes through Mr. DOUGHTON's district. The resolution stands, sir, to name the parkway the Robert L. Doughton Parkway.

The SPEAKER. And the gentleman from North Carolina assures our colleague that the resolution carries no appropriation?

Mr. CHATHAM. It carries no appropriation, Mr. Speaker.

Mr. HAMILTON C. JONES. Mr. Speaker, in my opinion it is very fitting and proper that the name of this highway be changed from the Blue Ridge Parkway to the Robert L. Doughton Parkway for the reason that it would be naming this beautiful and important southern mountain highway for one of the leading citizens of our Nation who has contributed more to the planning and building of this useful, scenic parkway than any other citizen. Furthermore, the naming of this highway the Robert L. Doughton Parkway would meet with the unanimous approval of the mountain people of North Carolina for whom he has rendered such valiant service.

Congressman ROBERT L. DOUGHTON helped initiate the plans for this beautiful parkway and has stuck right by the program and watched it develop to complete maturity and is more responsible for the achievement than any man in the Nation. Furthermore, it is very fitting that his splendid service to the Nation as a distinguished Congressman and chairman of the important House Ways and Means Committee for many years should be recognized in this most appropriate way by the passage of the compli-

mentary and appropriate resolution which has just been introduced and is now being discussed.

I sincerely hope the House will pass this appropriate resolution and give due recognition to one of the most capable, unselfish and finest citizens of the United States of America who is indeed the very epitome of patriotic leadership, good citizenship, and exemplary character.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

#### LEGISLATIVE PROGRAM FOR NEXT WEEK

(Mr. MARTIN of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. MARTIN of Massachusetts. Mr. Speaker, I take this time to inquire of the majority leader as to the program for next week.

Mr. McCORMACK. Mr. Speaker, on Monday the bill S. 1851, the so-called Mexican labor wetback bill, general debate only.

After disposition of that bill on Tuesday, it is the intention to bring up the universal military training bill, which will continue in general debate for the balance of the week, the discussion under the 5-minute rule beginning the following week.

Mr. MARTIN of Massachusetts. Then, we can take it for granted there will be no reading of the universal military training bill until a week from Monday?

Mr. McCORMACK. If the bill is brought up next week it is the intention that there will just be general debate next week.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Ohio.

Mr. JENKINS. The gentleman says it will continue all week. That does not mean Saturday, of course?

Mr. McCORMACK. Of course not. That part remaining of Wednesday, and Thursday and Friday.

#### ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. MANSFIELD). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of next week may be dispensed with.

The SPEAKER pro tempore. Is there objection?

There was no objection.



# NATIONAL SECURITY TRAINING CORPS ACT

Mr. COX, from the Committee on Rules, reported the following privileged resolution (H. Res. 528, Rept. No. 1401), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5904) to provide for the administration and discipline of the National Security Training Corps, and for other purposes. That after general debate, which shall be confined to the bill and continued not to exceed 12 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

## TO ASSIST IN PREVENTING ALIENS FROM ENTERING OR REMAINING IN THE UNITED STATES ILLEGALLY

Mr. LYLE, from the Committee on Rules, reported the following privileged resolution (H. Res. 529, Rept. No. 1402), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally. That after general debate, which shall be confined to the bill and continued not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

[Mr. RANKIN addressed the House. His remarks will appear hereafter in the Appendix.]

## SPECIAL ORDER

The SPEAKER. Under the previous order of the House, the gentleman from Michigan [Mr. CRAWFORD] is recognized for 5 minutes.

## PATRIOTISM OF THE SAMOANS

Mr. CRAWFORD. Mr. Speaker, while thousands of dollars are being spent by the Armed Forces to induce voluntary enlistments, there are today in American Samoa over 2,000 young and physically able Polynesian Americans who have publicly expressed their willingness to do their part in serving the country they have loved and respected for over 50 years. It is my understanding that they have also submitted a petition to the President for facilities to enable them to

join the armed services. A great number of these boys have had military training, some averaging 3 years in the Marine Corps in World War II.

The Samoans are akin to the Hawaiians, both being of the Polynesian race. Knowing the fighting ability of the Hawaiians, it is not necessary for me to go into the ability of the Samoans. However, for the record, I may touch a little on the military background of the Samoans. Serving in the Armed Forces is nothing new with the Samoans. Ever since the highly respected Samoan militia, the Fita Fita, was established under the Navy in 1900, it became traditional with the Samoans to serve in the Armed Forces. Many are presently serving in the Army, the Air Force, the Navy, and the Marine Corps. Samoans participated in World War I, fought and died in World War II, and in the present fighting in Korea some have already made the supreme sacrifice for their country. One of the most decorated soldiers of the Fifth Regimental Combat Team, one of the infantry units that gallantly defended the Pusan perimeter in the early phases of the Communist onslaught, was a Samoan rifle platoon sergeant. Before he was listed as missing in action he had already won 11 battle decorations for gallantry.

As a member of the Committee on Interior and Insular Affairs, it was my privilege to visit with the Samoan people recently where I personally witnessed the loyalty of the Samoans to their country. At that time these Samoans asked me for the assistance of Congress to establish recruitment facilities in American Samoa. In response to the request of the Samoans, I have introduced H. R. 6318 to facilitate the voluntary enlistment of qualified American Samoans by establishing and maintaining of adequate recruitment facilities in American Samoa.

At the beginning of the present conflict in Korea the Samoans sensed the urgent need for soldiers and marines, so much so that some paid their own transportation to the nearest recruiting station, which is in Honolulu, over 2,000 miles away. In one instance, when the Marine Corps recruiter at Pearl Harbor asked for the home address of three husky brothers, he was a little surprised when told they traveled all the way from Samoa to enlist. It is not often that three young fellows will spend all their savings of \$1,000 for transportation to offer their services to the Armed Forces. But this is indicative of the loyalty of these people. Since the majority of the young Samoans cannot afford to meet the considerable cost of transportation, the need for a recruiting station in Samoa is evident.

As to any question of morale problem, I have been informed by the director of public health in Samoa, a retired colonel in the United States Army Medical Corps, that there will be a very small percentage of rejections for physical and neuropsychiatric defects among the Samoan boys, and, in fact, the rate will be considerably less than in the mainland United States. A great many young Samoans of military age have

completed their junior high-school training and some have completed high school and there will be no problem of literacy.

In establishing recruitment facilities in American Samoa, our country will not only benefit from this promising source of manpower but it will also contribute greatly to the economic and educational welfare of the people of American Samoa.

## ABRAHAM LINCOLN SLEEPS, HE IS NOT DEAD—FOR HIS FAITH WE PRAY

(Mr. ANGELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ANGELL. Mr. Speaker, in these days of corruption, graft, and low moral standards in our Federal Government, it is refreshing to consider the rugged and deep-rooted honesty and devotion to high standards of integrity, morality, and honesty in government of Abraham Lincoln, whose birthday we are celebrating. Lincoln said:

Let every American, every lover of liberty, every well-wisher to his posterity swear by the blood of the Revolution never to violate, in the least particular, the laws of the country, and never to tolerate their violations by others. Let every man remember that to violate the law is to trample on the blood of his father and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in the schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice.

More people visit the Lincoln Monument, the shrine of liberty and justice, than any other of the many historical places of hallowed memory here in the Nation's Capital. The spirit of Lincoln seems to pervade the very atmosphere in the Capital of the Nation he gave his life to preserve. As the poet, Joseph Auslander, said:

He sleeps, the valiant shepherd sleeps, who led

The multitude of his bewildered sheep  
From bondage into peace; he is not dead;  
He has lain down a little while to sleep.

Ah, not for him the shouting and the glory,  
The feast that follows triumph; in his mouth

Only the bitter taste of blood, the story  
Without an end, the sorrow North and South.

The valiant shepherd of the flock is taken;  
The Lord has plucked him from our midst away;

Now when our hearts again are sorely shaken,  
Beset on all sides, for his faith we pray.  
He moves among us; we are not forsaken;  
His love still sheds a light upon our way.

Mr. Speaker, on April 20, 1939, soon after I became a Member of the Congress, I made some remarks in the House with reference to Abraham Lincoln which it seems appropriate for me to repeat here.

Many years ago when our country was young and bands of pioneers were trekking across America, extending its frontiers and making homes in the wilderness, a large company camped one night on the banks of a mountain stream. In the morning they broke camp, forded









HOUSE - February 25

16. FARM LABOR. Completed general debate on S. 1851, to assist in preventing aliens (wetbacks) from entering or remaining in the U. S. illegally (pp. 1362-85). Final action is to be taken on the bill Tues., Feb. 26.
17. MILITARY TRAINING. Rep. Furcolo, Mass., spoke in opposition to the military training bill, H. R. 5904, and proposed instead that young men receive training near their homes during the summer months so as not to interrupt their education (pp. 1386-9).
18. FOREIGN AFFAIRS. Rep. Berry, S. Dak., explained the purpose of his measure, H. Res. 514, directing the State Department to inform the House of any agreements reached by President Truman with the Prime Minister of Great Britain in their recent talks (p. 1360).
- FOOD PRICES.
19. Reps. Heselton and Martin, Mass., inserted memorials of the Mass. Legislature urging enactment of laws which will lower the "high cost of food" (p. 1390).
20. EXPENDITURES. Received a Racine, Wis., Manufacturers' Association petition urging reduction in Government expenditures (p. 1390).

BILLS INTRODUCED - February 25

21. EXTENSION WORK. H. R. 6773, by Rep. Albert, Okla., to provide for the further development of cooperative agricultural extension work; to Agriculture Committee (p. 1390).
22. RUBBER. H. R. 6787, by Rep. Vinson, Va., to extend the Rubber Act of 1948 (public law 649, 80th Cong.); to Armed Services Committee (p. 1390).
23. TRANSPORTATION. H. R. 6774, by Del. Bartlett, Alaska, and S. 2721, by Sen. Magnuson, Wash., to provide transportation on Canadian vessels between certain points in Alaska and points in the U. S.; to Merchant Marine and Fisheries Committee and S. Interstate and Foreign Commerce Committee (pp. 1390 and 1313).
4. MINERALS. S. 2723, by Sen. Anderson, to amend the Mineral Leasing Act of Feb. 25, 1920, as amended, to authorize the Secretary of Interior to provide for competitive bidding for certain leases issued thereunder; to Interior and Insular Affairs Committee (p. 1313). Sen. Anderson inserted his statement explaining the purposes of the bill (pp. 1313-4).
25. IRRIGATION. S. 2720, by Sen. O'Mahoney (for himself and Sens. Hunt and Butler, Nebr.), to approve contracts negotiated with certain irrigation districts; to Interior and Insular Affairs Committee (p. 1313).
26. COMMERCE. H. R. 6785, by Rep. Rhodes, Pa., to protect the national defense effort and the normal flow of interstate and foreign commerce from the interferences caused by the movement of business enterprises to premises leased from States and political subdivisions of States; to Interstate and Foreign Commerce Committee (p. 1390).

ITEMS IN APPENDIX

27. FARM INCOME. Sen. Thye inserted John W. Ball's Washington Post article, "Farm Income Up But Profits Sag" (p. A1154).
28. EGG PRICES. Sen. Thye inserted a Minneapolis Star article requesting that ac-

tion be taken to do something about the low price of eggs on the farm (p. A1155).

29. FARM LABOR. Extension of remarks of Rep. Welch, Mo., urging that provision be made for improvement in the selective-service system to defer essential farm workers (p. A1166).
30. FLOOD CONTROL. Extension of remarks of Rep. Dague, Pa., favoring up-stream soil-conservation methods of flood control and including a Saturday Evening Post article explaining some of the functions of the Army Engineers in flood control work (p. A1180).
31. PRICE CONTROLS. Rep. Poulson, Calif., inserted Las Angeles Times articles reporting on the community pricing test programs conducted by OPS (pp. A1157-8).
32. LIVESTOCK AND MEAT. Sen. Mundt inserted a South Dakota Stockgrower article criticizing OPS regulations on slaughtering (pp. A1159-60).
33. REORGANIZATION. Sen. Martin inserted Dr. Robert L. Johnson's (chairman, Citizen's Committee for the Hoover Report) recent talk summarizing the activities of that organization (pp. A1160-1).
34. RECLAMATION. Rep. Harrison, Wyo., inserted resolutions of the Wyoming Natural Resources Board urging reexamination of Interior's program on hydroelectric power and favoring amendment of the 160-acre limitation in the Reclamation Act (p. A1185).
35. MINERALS; SUBMARGINAL LANDS. Sen. Langer inserted a letter from E. W. Doherty, publisher of the Herald, Killdeer, N. Dak., opposing the sale to former owners of mineral rights to lands purchased under the submarginal lands program, and his reply (p. A1149).
36. PRESIDENTIAL VETO. Extension of remarks of Rep. Celler, N. Y., favoring his bill, H. R. 5561, to redefine the President's power of veto and to include authority to veto Senate and House concurrent resolutions (pp. A1152-3).
37. NEWSPRINT. Extension of remarks of Rep. Celler, N. Y., urging an investigation of newsprint manufacturers in view of the rising prices, and including his letter to the Attorney General on the subject (pp. A1193-4).
38. ST. LAWRENCE SEAWAY. Rep. Kerns, Pa., inserted an Erie (Pa.) Times article opposing this proposed project (p. A1155).  
Rep. Van Zandt, Pa., inserted a Canadian Letter article describing the solvency of Canada as a nation, and suggested that Canada should build the Seaway (p. A1164).  
Rep. Keogh, N. Y., inserted a Brooklyn Eagle editorial favoring this project (p. A1182).
39. EXPENDITURES. Rep. Tollefson, Wash., inserted a Bank of America report urging reductions in Government expenditures (pp. A1154-5).  
Rep. Cole, N. Y., inserted a Corning (N. Y.) Evening Leader editorial opposing the proposed Central Arizona reclamation project as a "Governmental extravagance" (p. A1168).  
Extension of remarks of Rep. Bender, Ohio, urging reductions in Government expenditures (p. A1173).

COMMITTEE HEARINGS ANNOUNCEMENTS FOR FEB. 26: S. Banking and Currency, import controls (ex.); H. Appropriations, Agriculture and other appropriation bills (ex.); S. Civil Service, Federal personnel policies (ex.); S. Foreign Relations, St. Lawrence Seaway; and S. Public Works, Federal aid highway bill.



dom can be pilloried. Freedom can be drugged. But in the long run freedom will not die.

The people of Czechoslovakia, among all the people of the Western World, stand high in their love of freedom. Free people get about the kind of government that they deserve. That is an axiom of political science the truth of which has been demonstrated many times. But a people who have been deprived of their liberty by aggression are hardly in a position to say what kind of government they prefer. Totalitarian balloting is a farce. We all know that. With machine guns pointed at the back of one's neck one can hardly be expected to resist. The heart may be anxious and the mind may be willing, but the power is not there.

Totalitarian aggressors essentially are bullies. What the Second World War showed was that, once the power of the bully is taken away, behind the facade of bravado is the cringing cowardice of the weakling. The Nazis could not survive in a world of fair play and equal power. Neither will the Communist aggressors.

In the long run there is no force so strong as free nations aroused. That thought was expressed by our own revered President Wilson. Woodrow Wilson, in a very real sense, was godfather at the birth of the Czechoslovak Republic. Vindication, when it comes, will be sweet. The Czech people, once they are relieved of their shackles will arise as only a free people can arise. They will regain their freedom, and let us hope and pray they will regain it in the near future.

#### TELEVISION OF COMMITTEE HEARINGS

Mr. MARTIN of Massachusetts. Mr. Speaker, I rise to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. Mr. Speaker, several days ago the Committee on Un-American Activities called a meeting to be held in Detroit and, I understand, voted to have those hearings televised.

I now understand that the televising of the hearings has been canceled. I understand further that the Speaker, in whom we all have great confidence, has taken the position he has the authority under the rules of the House to call off the televising of the hearings.

I also understand that the Speaker justifies his decision on the ground that the Committee on Un-American Activities operates under the general rules of the House, which of course is true. The general rules of the House give the Speaker the right or privilege of passing upon television, radio, or anything photographic, as far as the House is concerned. But I question, Mr. Speaker, whether this authority would apply to a hearing held in Detroit.

I call the Speaker's attention to the fact that under section 319, Secrecy of Committee Procedure, there is the following quotation:

It is for the committee to determine, in its discretion, whether the proceedings of the committee shall be open or not.

From that provision under section 319 it is clearly implied that the committee shall be the judge of what publicity it might desire. Furthermore, in my opinion, it is more of an authority than the Speaker could assume under the general rules of the House.

I note also under the rule, under which, as I understand it, the order to prevent the Detroit television was given, it is stated that—

The rules of the House are hereby made the rules of its standing committees so far as applicable.

I believe it would be stretching authority considerably to say that because of this rule the Speaker has the right to interpose his own power over a committee as to its own publicity. It could, I am free to admit, be well argued that the chairman of the committee acting as head might have the authority.

May I also call attention that television was used by the subcommittee investigating the tax scandals; the Madden select committee investigating the atrocities relative to the Katyn massacre; the Hébert subcommittee investigating armed services procurements, and the Un-American Activities Committee itself in investigating the Reds in Hollywood. In the Senate there has been the Kefauver committee, the Atomic Energy Committee, the District of Columbia Committee, and the Russell committee. All those decisions to televise were made by the committees themselves.

Mr. Speaker, for clarification of the rules and so that we may understand what may be expected from now on, I submit my parliamentary inquiry.

Mr. RANKIN. Mr. Speaker, I would like to be heard.

The SPEAKER. The gentleman cannot be heard on the parliamentary inquiry of the gentleman from Massachusetts.

Mr. RANKIN. Mr. Speaker, I would like to answer his parliamentary inquiry.

The SPEAKER. The Chair is ready to rule.

The gentleman from Massachusetts, as always, has been kind enough to inform the Chair that he was going to submit this parliamentary inquiry.

It is true that some committees and some subcommittees of the House have begun the practice of having their hearings and their meetings televised; but in each an every instance when the Chair has called attention to the fact that he did not think the rules of the House authorized this, each and every chairman of a committee or subcommittee has ceased doing so at that moment, as far as the Chair understands at this time.

The Chair is operating under the rules of the House. One of the rules reads as follows:

The rules of the House are hereby made the rules of its standing committees so far as applicable.

There is no authority, and as far as the Chair knows, there is no rule granting the privilege of television of the House of Representatives, and the Chair

interprets that as applying to these committees or subcommittees, whether they sit in Washington or elsewhere. As the gentleman from Massachusetts says, the Chair, whoever is the Speaker, has control of this end of the Capitol and the House Office Buildings. There being no rule with reference to television or radio, the Chair interprets that the rules of the House shall apply to the committees whether they sit in Washington or outside of Washington. The Chair might indulge in a slight amount of histrionics in saying that if committees all wanted to be televised, and they were not allowed to be televised under the rules of the House in the Capitol or in the House Office Buildings, why they would probably move out of town and think that they would escape the rule, or make a rule in that fashion.

Mr. MARTIN of Massachusetts. Mr. Speaker, I appreciate that this is a twilight zone which has not been clearly defined as to just what authority the Speaker might have, and I think we should at the earliest possible moment, have some definite rule established. I want to say, too, in fairness to the Speaker that there have been instances—not this particular one—that called for his disapproval of broadcasting. In other words the decision did not come just upon the Detroit broadcast.

The SPEAKER. In every instance the Chair has held exactly like he has regarding this proposed hearing in Detroit.

Mr. MARTIN of Massachusetts. I think television and broadcasting is here to stay and will probably increase in popularity as the days go by. For that reason we should have revision of the rules to define authority.

The SPEAKER. If the House adopts a rule, the Chair will abide by and enforce it, like he does all of the rules of the House of Representatives.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. In order to do that we would have to amend the rules of the House.

The SPEAKER. That is correct.

Mr. RANKIN. The Chair was simply calling attention to the rules of the House which do not permit this television in the House of Representatives or in any committee of the House of Representatives, and the Chair is entirely right about that.

Mr. MARTIN of Massachusetts. Mr. Speaker, if the gentleman will yield, it is not quite as clear as all that.

Mr. RANKIN. I hope the rule will never be changed, myself.

ROBERT L. DOUGHTON PARKWAY

(Mr. ABBITT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ABBITT. Mr. Speaker, I rise to join my colleague the gentleman from Virginia [Mr. STANLEY] in opposing the joint resolution (H. J. Res. 387) changing the name of the Blue Ridge Parkway to the Robert L. Doughton Parkway.



First, I desire to say there is no Member of the House of Representatives whom I hold in higher esteem than I do Mr. DOUGHTON, of North Carolina. Mr. DOUGHTON is one of the most capable, hard-working, conscientious, and able Members of our body. He has done a great work for the people of our country. He has performed a great service in helping secure the Blue Ridge Parkway, that great scenic drive which traverses nearly 500 miles through the Blue Ridge Mountains.

Then, too, I am happy to state that our colleague, Mr. DOUGHTON, himself, opposes this resolution, believing that the parkway has the appropriate name at present, and I commend him for his unselfish stand on this matter. Our opposition to changing the name of the parkway is not intended as a reflection upon Mr. DOUGHTON in the least.

The Blue Ridge Parkway, which traverses the Blue Ridge Mountains from the Shenandoah National Park in Virginia to the Great Smoky Mountains in North Carolina and Tennessee, is most appropriately named. It is in reality a great boulevard, and one of the most scenic drives in our country. It is known far and wide as the Blue Ridge Parkway because of its location, and will be remembered as such as long as our country exists. I oppose the changing of the name of this great parkway, which is now one of the most beautiful scenic motor routes in the world, and trust that the Senate will defeat House Joint Resolution 387.

#### ALIENS ENTERING OR REMAINING IN THE UNITED STATES ILLEGALLY

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 529 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally. That after general debate, which shall be confined to the bill and continued not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. LYLE. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, for several years I have been warning of the growth of a Soviet beachhead in the Western Hemisphere right under our noses in Guatemala.

I have particularly warned our friendly Latin American neighbors, Latin American states who want us to remain

good neighbors as Franklin Roosevelt made us good neighbors, of the misunderstandings as to Latin American intentions towards the United States which can be engendered by this Guatemalan cancer.

Now, new confirmation comes from irreproachable independent sources that this Guatemalan penetration by the Soviets has reached the point that Guatemala is now truly a Soviet Guatemala. We of the United States have to recognize that we have a full-fledged Soviet beachhead on our flank—and that the Latin American nations which are friendly to the United States have a full fledged Soviet beachhead on their flank too.

I ask permission to introduce into the Record five articles on this subject by independent American journalists. Three of them are by Mr. Ludwell Denny, of the Scripps-Howard Press, who has been known to us in Washington for many years. Another is by Mr. Duncan Aikman, of the Washington Post, both have recently returned from Guatemala. These articles have been widely syndicated throughout the United States. They have sunk deep into the awareness of the American people.

The other article is from Time of last week, describing the arrival from Moscow of one Victor Gutierrez, bearing anti-American orders from Moscow to the party organizations in Guatemala. This, too, has had the widest circulation in the United States.

I am urging every Member of Congress to read these articles and understand their deep significance. We now have a Soviet beachhead on this side of the Atlantic and on this side of the Pacific. I beg our Latin American friends, to whom we want to remain friends—our Latin American neighbors, to whom we want to remain good neighbors—to understand the significance to them of the fact that we are fully aware of this danger in Guatemala and that in good neighborliness we hope they will understand and help us eliminate this Soviet danger.

Mr. Speaker, I ask unanimous consent to include in my remarks the articles to which I have referred.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(The articles referred to are as follows:)

[From the Washington Daily News of February 13, 1952]

#### MARRIAGE OF CONVENIENCE—COMMUNIST CLIQUE RUNS GUATEMALA (By Ludwell Denny)

GUATEMALA CITY, February 4.—Reds run Guatemala, tho the people are not Communist and the government is more nationalist than Stalinist. This is made possible by a marriage of convenience between Moscow and the local nationalist boss, ex-President Juan Jose Arevalo.

The unnatural alliance is based on hatred of the United States. Like the German Nazis in the days of Hitler-Stalin partnership, Guatemalan national socialists think they can use Stalin and then dump him when no longer needed. Maybe. Meanwhile a handful of Reds—1,500 at most—call the tune for a nation of 3,700,000.

President Jacobo Arbenz apparently is not a Communist. He is the weak and uncomfortable puppet of Arevalo.

Arevalo is a former idealistic college professor gone wrong. He taught in Argentina, flirted with Peronism, and got the personal power itch when he returned to Guatemala to establish "spiritual socialism" after the reactionary dictatorship of Jorge Ubico. He aims to unite and rule Central America and the Caribbean against the United States—in the name of democracy, of course.

Tho the Communist Party is illegal under the constitution, it operates openly with government protection and acts as host to Red "world" conferences. The government-controlled press is pro-Russian and anti-American. Anti-Soviet editors are intimidated, and anti-Communist organizations and demonstrations are discouraged by the Government.

The most prominent Communists are Jose Manuel Fortunay, secretary-general of the party and editor of its newspaper, Octubre, and Victor Manuel Gutierrez, head of the Confederation of Labor, which is affiliated with the Red International. Gutierrez returned last month from Moscow.

The loudest fellow traveler is Roberto Alvarado Fuentes, president of congress—and as such constitutional successor to the president of the Republic if the latter dies or is incapacitated. Fuentes attended the Soviet peace conference in Vienna.

#### MEDIOCRITIES

All three of these men are mediocre. Before any important Communist move, an abler Stalin agent usually arrives from Cuba, France, or Mexico—often the chief of the Latin-American Red Labor Federation, Vincente Lombardo Toledano. Russians so far have kept their own identity secret.

While Communist membership is small, its power is great. This is achieved not only through the tie-up with supernaturalists, but also by—

Superior organization, rigid discipline, and experienced Moscow direction.

Capture of the trade-union movement.

Bribery of key officials and officers.

Threats of assassination and other terrorism.

Exploiting public suspicion of alleged United States imperialism, and hatred of Yankee monopoly capital—meaning the United Fruit Co., the International Railways of Central America, Pan-American Air Lines, Electric Bond and Share, and various American insurance companies. The United States, as arch-enemy, has replaced Britain, with which Guatemala has an old quarrel over British Honduras.

Non-Communist forces are largely unorganized and temporarily impotent. This is due to fear, ignorance, indifference, internal rivalries, and a national inferiority complex.

About 70 percent of the population is illiterate. The remainder is politically immature. Nearly two-thirds of the people are Indians, who do not speak the country's language. They live in unfriendly mountains, growing a little corn, following their ancient customs, worshipping the pagan gods of their Mayan ancestors.

They never heard of Washington, much less Moscow. Guatemala City is an alien capital of mixed-breeds and whites, whose political plots do not interest the Indian—as long as he is let alone. Perhaps some day this unknown and unknowing Indian Guatemala will erupt in terrible fury like its smouldering volcanoes, but not yet.

#### ANTI-FOREIGN

The inferiority complex of the mixed-blood minority is the basis of general anti-foreign feeling. Moreover, foreign capital is associated in the public mind with the long and cruel dictatorship of Jorge Ubico. There is no love for Russia. But Russia



seems far away, while the United States is near—a foreign power to hate.

Of course there are anti-Communist groups, even though they are not effective so far. These include the Roman Catholic Church, the Army, the planters and merchants, and the foreign corporations.

Though the country is Catholic in name, it has been anticlerical for a century. There are only 140 priests, half of them foreign. Many churches never see a priest. The percentage of religious marriages runs as low as 2 percent. Last summer there was a spontaneous successful demonstration against a Communist replacing a nun as head of an orphanage. But in general the small Catholic hierarchy is on the defensive, neither anxious nor able to challenge Red power here.

The army by nature is non-Communist. Eventually it probably will overthrow a Red or fellow traveler regime—unless it waits until Stalin has taken it from within.

Coffee planters, merchants, and bankers dislike the leftist government. But they lack the intelligence and courage to curb its excesses. Most of them have "a tomorrow" temperament, and are too individualistic to act together.

#### FEAR

They fear opposition would bring financial reprisals—or assassination.

This fear of murder is the main cause of lack of effective challenge to Stalinism not only outside the government, but also inside. Responsible persons close to the situation think President Arbenz is trying to wiggle out of Red control, but is moving cautiously for fear of assassination.

If Arbenz dies suddenly—it is reported and denied that he has an incurable disease—the Stalin-Arevalo alliance may break over choice of a successor. Already there is a struggle over the Reds' effort to reelect in March their stooge, Fuentes, as President of Congress and thus constitutional successor to Arbenz in case of death.

[From the Washington Daily News of February 14, 1952]

#### ECONOMIC SUICIDE IN GUATEMALA—REDS OUT TO WRECK UNITED FRUIT CO.

(By Ludwell Denny)

GUATEMALA CITY, February 4.—The Reds behind the ultranationalist government here are trying to destroy foreign capital in the strategic Central American region.

They have picked the United Fruit Co. as their main target. If they can wreck the oldest, largest and best-established corporation, others should fall easily.

Nothing so old-fashioned as expropriation with compensation is contemplated. They don't intend to pay. And neither the Communists, nor this anti-American regime which is so friendly to them, could operate the complex banana plantations and essential scientific, transport and marketing organizations.

The idea simply is to get everything possible out of the company and then kill it. Of course, that is like killing the goose that lays the golden egg. But the extreme nationalists are too full of hatred for what they call Yankee imperialism to think of the welfare of their country. As for the Reds, the more destruction and chaos the better.

#### ECONOMIC PARALYSIS

Much of Guatemala's prosperity flows from the \$200,000,000 of United States private capital invested here. If United Fruit and other foreign companies are forced to withdraw from the country, national revenues will fall, unemployment will rise, and there will be economic paralysis.

That could rob the regime of its two chief assets—money to keep the army content and a foreign capitalist scapegoat to appease the public. But it might have the opposite effect.

If direct intervention by Washington were involved—other than through international organizations—that could easily drive Guatemala and other Latin American countries closer to Stalin. Or if United Fruit appeared to run from communism instead of fight it, Honduras and Costa Rica might be encouraged to copy Guatemala's madness.

#### EVERYBODY LOSES

As long as the conflict continues, everybody loses except Stalin, who profits by the weakness of others. It weakens not only Guatemala and United Fruit, but also the United States—which in this world crisis needs stability and security in this strategic area.

Whatever the mistakes of United Fruit in the early days of banana dictatorships, in recent years the company has shown statesmanship. On its own initiative it has revised its contracts greatly to the benefit of Honduras and Costa Rica, and has tried to do the same in Guatemala.

In this country its wage rates are three times as high as those of native employers. On top of that it provides many of its employees with free hospitals, free schools, free homes with utilities and gardens, and below-cost groceries and other essentials.

#### NO APPEAL

Despite this, United Fruit—and its partly owned railway subsidiary—is the victim here of arbitrary, discriminatory, and confiscatory labor laws and regulations. These are administered by partisan labor tribunals from which there is no appeal to the Supreme Court or the Constitution.

The crux of the present dispute is whether the company has the right to cease operations in its storm-destroyed western plantation and disease-infected eastern plantation, until it can get a fair contract and conditions to justify new investment. About \$30,000,000 is required to restore the original \$60,000,000 properties.

The Guatemalan Government insists the company has no legal right to cease operations or delay new investment, that it owes half a million in back wages, and that it is liable retroactively for 25 years' severance pay which would bankrupt the company. No profit was made by the company here last year. Currently, it is losing \$1,000,000 a month just to hold on.

#### ONE-FOURTH BUDGET

If United Fruit is driven out of Guatemala, the country will lose about \$15,000,000 a year in payrolls, taxes, and other income. That is about a fourth of the national budget and nearly a fifth of the national gross product. Upward of 20,000 workers would lose their jobs on the plantations, railway, and docks, and another 20,000 would be indirectly affected—including families, a total of about 150,000 people.

Such is the tragedy of Guatemala. One of the richest lands in the world potentially, it requires United States capital and leadership to eradicate poverty and disease and illiteracy. Yet it is dominated by anti-American nationalist fanatics, who think they can play with Stalin without destroying themselves and their country.

[From the Washington Daily News of February 15, 1952]

#### CENTRAL AMERICA RICH FIELD FOR REDS

(By Ludwell Denny)

SAN JOSE, Costa Rica, February 3.—Stalin is extending his activities from Guatemala southward to the Panama Canal.

His potential is large. In most Central American countries Soviet influence is more potent than appears from limited membership of the Communist Party.

Instead of aiming at open political control, which is impossible at this stage, the object is to—

Exploit anti-American feeling.

Use the extreme nationalist and nationalist-socialist movements.

Organize Red trade unions.

Create maximum political confusion, social unrest, and economic chaos.

#### FERTILE FIELD

Central America is a rich field for such Red operations. Most of the countries have low living standards, high illiteracy rates, political instability, and acute suspicion of alleged Yankee "imperialism." They have known more dictatorship than democracy. Nationalism is almost a mania.

Panama is an example of Communist ability to create chaos. For more than 3 months Reds have managed to string out and explode into mass riots what started out to be relatively harmless student demonstrations. In the current presidential campaign the small Communist Party is less important than disguised Red activities in other parties.

#### BORING IN

Unable to make a deal with the dominant Nationalist group and its presidential candidate, Col. Jose Antonio Remon, who controls the military, the Reds are boring within the main coalition of opposition groups headed by Roberto Chiari.

Here in Costa Rica, adjoining Panama, there is a larger Communist Party. Counting fellow travelers, Reds number between 8 and 10 percent of the politically conscious population. They have an able leader in Manuel Mora.

Costa Rican Reds are underground. They publish a clandestine weekly paper. Their labor organizations have changed names to "independent" unions, but the leadership remains the same.

To get political power here, they must make a deal with a nationalist-socialist regime as in Guatemala. President Otilio Ulate, a Democratic publisher, is effectively anti-Communist. But he will not succeed himself, and party maneuvers are now beginning for the election 18 months hence.

#### NEXT PRESIDENT

Jose Figueres, who ruled the country through a junta regime after the 1948 revolution, probably will be the next President.

Because he is a radical and a close friend of the Guatemalan political boss, Arevalo, who has given the Reds a free hand there, many persons here fear that Costa Rica under Figueres would go the way of Guatemala. Figueres denies this.

In an interview with this correspondent, he stressed these differences:

Unlike Arevalo, he knows the United States well and is not anti-American.

#### INDIVIDUALISTIC

Costa Ricans have a higher cultural and literacy level than other Central American states, are more individualistic, and have no army. They are familiar with the Russian record and don't like it.

While he was in power Figueres nationalized banks and tried to nationalize properties of the (American) Electric Bond & Share Corp. He says he favors fair compensation.

Whether Figueres will or will not go further left is anybody's guess.

Honduras, more dependent on United Fruit than any other country has no outstanding nationalist-socialist leader like Costa Rica and Guatemala and no military strong man like Panama. President Juan Manuel Galvez is a popular, democratically minded man. He likes the United States and deals fairly with American capital which is developing his country.

#### DECEPTIVE CALM

But the Honduras calm is deceptive. It is fruitful for Stalin for two reasons.

One is the extreme backwardness of the country. The people are wretchedly poor, two-thirds are illiterate, and social morals are low. Though the country is nominally



Catholic, there are less than 100 priests for 1,250,000 people.

The political danger is not in the Communist Party membership of a few hundred, but among "innocents" or fellow travelers in the strong so-called Liberal Party.

If Stalin continues to strengthen his hold on neighboring Guatemala, it probably will not be long before the danger flares up in Honduras.

[From the Washington Post of February 17, 1952]

#### RED FRONT TIGHTENS GRIP ON GUATEMALA

(By Duncan Aikman)

(Mr. Aikman, a newspaper and magazine writer, has traveled extensively in South America and is the author of a book on inter-American relations, *The All-American Front*.)

Guatemala, Central America's most populous republic, has been developing for several years as Soviet communism's prize outpost in the Western Hemisphere. Communist penetration and Communist control of politics and government policies still appear to be getting worse rather than better.

Yet a deep-end plunge into communism could do Guatemala's economy as much damage as Premier Mossadegh's expropriation of British oil interests has done to Iran.

How Guatemala has come so near that leap—and what can be done about it—are questions which are puzzling United States policy-makers as well as plenty of Guatemalans.

The background of Communist success is a clutter of longstanding social and economic difficulties, worse than in some republics but in no way abnormal by Latin American standards.

Guatemala is about the size of Pennsylvania, with a population of about 3,500,000, mostly Indian peasants on the land. They were in virtual peonage during the Spanish colonial centuries. After independence in 1839, the exploitation went on practically unchanged under a succession of military dictators.

Between 1930 and 1944 a dictator named Jorge Ubico made a few improvements. He built highways, a few schools in the hinterland and enough housing projects in the larger towns to show that civilized living conditions were possible for labor groups.

Otherwise, Ubico ruled through police terror. Toward the end he proscribed all critics of the regime as public enemies, especially would-be labor organizers. So when Ubico was thrown out in an ostensibly democratic revolution late in 1944, underground labor groups took a lead in organizing the new situation.

A large number of exiles soon filtered back from Mexico and other Latin American Republics, where they had been affiliated with Mexican labor leader Vicente Lombardo Tolezano's pro-Communist Latin American Confederation of Labor (CATL). They were joined by numerous agents of the Soviet embassy in Mexico City, and within a few months the newcomers were substantially in control of the young Guatemalan labor movement.

Meanwhile, an exiled university professor, Juan Jose Arevalo, had returned from Buenos Aires, where he had picked up quite a few ideas of aggressive nationalism and government economic controls from the Peron regime.

The new elements running the government made Arevalo head of a three-man junta administering affairs provisionally, and in 1946 brought about his election as president.

In 1946, too, a new constitution was adopted. Among other innovations, it established labor courts with powers in a broad field of jurisdiction roughly equivalent to those of the Republic's civil courts. The Communist-front politicians quickly took over the labor courts' key posts.

Arevalo, no Communist in personal beliefs, proved easy prey for the "front" politicians for several reasons. He refused to suppress Communist propaganda because he believed that after centuries of repression, Guatemala needed an ideal civil liberties regime. He favored extreme economic regulation measures as a means of lifting a peonage economy by its bootstraps. He was also an intense sentimental nationalist.

Arevalo saw that Guatemala's second largest export crop, bananas—coffee is still bigger—was controlled by a foreign corporation, the United Fruit Co.; that its power was furnished by the Electric Bond and Share interests, and that its railroads were owned by a British-American combine in which United Fruit was prominent. He agreed with his pro-Communist advisers that this was "Yanqui imperialism" and that something ought to be done about it.

So, while the leftist press roared constantly against foreign ownership of the country's resources, the fruit company began to be subjected to an endless series of pinpricks. Its taxes, export operations, and labor policies became subjects for chronic investigation. Strikes became the order of the day on its plantations and docks, with the certainty that the labor courts would always find for the strikers.

UFC weathered these difficulties in fairly good order to the end of the Arevalo administration last March and down through the first 6 months of the term of his successor, President Jacobo Arbenz Guzman. Then last September a violent Pacific storm desolated 10,000 acres of banana trees on the company's Tiquisate plantations. Since then the Tiquisate labor force of nearly 4,000 has been laid off pending agreements with the Government to start a \$10,000,000 rehabilitation program for the property.

The Government's attitude toward this project was revealed in a decision of a labor appeals court early in January. It ordered the company to pay back wages of approximately \$645,000, plus indemnities, to its Tiquisate workers, and placed an export embargo on Tiquisate products until the award is paid. The case is now on its way to the Guatemala Supreme Court, with little hope, however, that the labor tribunal's judgment will be reversed.

UFC's troubles, however, are by no means a lone example of pressure from the Communist politicians to starve out foreign investment capital. A law which went into effect last month requires foreign insurance companies to invest the impossible sum of 90 percent of their reserves in Guatemala.

Meanwhile, the Communist front has increased its strength as well as its pressures. Four leftist splinter parties have just signed a pact which will give them control of the next session of congress in which they will have a combined majority of nearly 40 seats in a 52-member, 1-chamber body.

Guatemala's political skids, in short, are rigged for a descent into deeper Communist waters, whether by the expropriation route or by equivalent persecution of private business interests.

[From Time of February 11, 1952]

#### THE HEMISPHERE

##### GUATEMALA—THE PRICE OF CAVIAR

To the Kremlin's Latin-American desk, Victor Manuel Gutiérrez, 28, must look like a veritable committee of Red partisans. Gutiérrez is: (1) a devout Marxist who believes that communism is one of the highest revolutionary ideals of humanity; (2) a member of Guatemala's Congress; (3) a professor who teaches history to future teachers; (4) boss of a 50,000 member labor federation; and (5) chief of the Communist-line Revolutionary Workers Party. Gutiérrez had but one deviation, he sometimes indulged in the luxury of squabbling with José Manuel Fortuny, leader of a group of Guatemalan in-

tellectuals and students calling themselves, forthrightly, the Communist Party (Time, July 16). Last December Gutiérrez was rewarded for his faith and works by a trip to Moscow and a chance to test the sleazy comfort of the Hotel Metropole.

Back in Guatemala last week, Gutiérrez bumbled about his junket, and painted a picture of the Soviet Union as a place where "everyone eats well." I gained 15 pounds in 16 days \* \* \* but lost three on my way home in underfed France." Last week, Gutiérrez disclosed the price of his caviar and cutlets. His Revolutionary Workers Party, he announced, must disband and join Fortuny's Communist Party.

Closing Communist ranks apparently was a tactical reaction to growing anti-Red sentiment in Guatemala. In December, Guatemala City elected a mayor on an anti-Communist platform. Since then, 176 anti-Red committees throughout the country have collected 100,000 signatures on a petition sent to the Government demanding the dissolution of the Communist Party, because it clearly violates article 32 of the constitution prohibiting political organizations of an international or foreign character. With Gutiérrez' followers in the fold on orders from Moscow, Guatemala's Communist Party was doubled in size and more foreign-dominated than ever. But at week's end President Jacobo Arbenz had not even replied to the petition.

Mr. LYLE. Mr. Speaker, I yield 30 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed out of order.

THE SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, the underlying significance of the protracted difficulties which beset the United Fruit Co., an old Boston and Cape Cod firm, and other American enterprises in Guatemala rests in the fact that international communism, according to reliable American newspaper observers, is successfully establishing a beachhead in Guatemala. That the fruit company, the American-owned railway—International Railways of Central America—and other major American enterprises are persistently under attack by the Guatemalan Government and continuously involved in so-called labor disputes contrived by Communist-dominated unions is but a symbol of the underlying struggle between two ideologies—communism and the free way of life.

The United Fruit Co.'s principal plantations in Guatemala were destroyed by hurricane on September 15, 1951. Because of this act of God, it laid off a considerable number of its workers for whom unfortunately there was no work. A labor court has now ruled that these employees who have not done any work in the 6 months since the hurricane must now be paid unearned wages in full, amounting to some \$700,000. The supreme court has without a hearing dismissed an appeal that the decision of the labor court be revoked as illegal. Consequently, the company's properties, equipment, buildings, and all installations are to be sold at a forced auction on



March 5. This act of confiscation is overwhelming evidence of the ruthless nature of the Communist attack against American interests in Guatemala. International communism is using the Guatemalan situation to destroy the inter-American system which has been painstakingly created over the course of many years, and to disrupt and dislocate the solidarity which, up until now, has existed among all of the American Republics. That the economy of Guatemala will be wrecked in the process is of no concern to the Kremlin.

It should be of the deepest concern to every American Republic which believes in and hopes for the continuance of the inter-American system that this Guatemalan Communist threat to the inter-American system be eliminated.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. RANKIN. I call the attention of the gentleman to the fact that back in 1921 or 1922, Mexico attempted to give Japan a naval base. I believe it was on Magdalena Bay. I am not sure whether I have the name right or not. The United States Government protested against it. It was a violation of the Monroe Doctrine. The program was never carried out.

It seems to me that if this outfit is trying to get a base of operations anywhere in South America or Central America, the Monroe Doctrine should be invoked and we should put a stop to any such invasion.

Mr. MARTIN of Massachusetts. It certainly shows that we ought to be awake to the fact of what is being attempted.

Mr. RANKIN. It would also help to wake up the American people to the fact that we better stand by the Monroe Doctrine, and not let the so-called United Nations run the world.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. SPRINGER. May I call to the attention of the gentleman as well as the distinguished majority leader from Massachusetts an article in yesterday's editorial page of the Washington Star, February 24, on Panama and the elections going on there now, as to the effect that the Guatemalan situation is having on what the Communists are doing in Panama. This is the same as has already taken place in Guatemala. If the same situation is transferred to Panama as you have in Guatemala, it seriously would affect the Panama Canal and our control over it.

Mr. Speaker, I ask unanimous consent to insert in the RECORD that article from the February 24 issue of the Washington Star.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(The matter referred to is as follows:)

# PANAMA—OUR VITAL CANAL HAS TROUBLE, Too

(By Edward Tomlinson)

PANAMA CITY.—Panama, lying athwart the vital Canal Zone, is in an alarming state of unrest and confusion. The situation, which threatens to erupt into Communist-led political upheaval, has placed the Canal Zone on the alert.

In the light of recent occurrences in and around the Suez Canal, development affecting Suez's New World counterpart have a particularly ominous look.

University and high school students have been striking, and there has been continual public disorder. For days at a time students have harassed and stoned the police, sometimes wrecking automobiles and trucks, and at night barricading themselves in school buildings. As a result, business activity in Panama has been virtually paralyzed.

The reason behind the student activity is a major mystery. But that the riots have something to do with Panama's red-hot presidential campaign is unquestioned.

## STRANGE BEDFELLOWS

Fantastic political alliances have been forged in the campaign. One of the principal contenders for the presidency is Col. Jose Antonio Remon, former chief and still boss of the country's well-disciplined 2,500-man national police force, sole military establishment of the republic. Opposing him is handsome, suave, Roberto F. Chiari, prominent conservative businessman.

Behind Remon are the tightly knit police organization and half a dozen political parties of varying faiths. Chiari is backed by a news so-called civic alliance and splinter groups ranging from outright reactionaries to extreme radicals.

Standing apart, so far, are the Arnulfistas and the small Communist Party, which is apparently a mere decoy, since the real work of the Reds is carried on through other fronts, fellow travelers and individual stooges. The Arnulfistas are the followers of former President Arnulfo Arias. He directs his party from a jail cell he has occupied since a bloody revolt last May overthrew his government and installed his vice president, Alcibiades Arosemena, as his successor.

Remon, a "kingmaker" who has set up three presidents and knocked down as many, is considered to have an even chance for victory, unless civil war breaks out before the May 11 elections. But it is believed that last-minute action of Arnulfo's party may be decisive. Remon and Chiari are jockeying for the former President's support, with Remon being in a position to grant Arnulfo his freedom for the 10,000 votes he controls from prison.

The opposition insists that the strong-willed ex-President will not accept such a deal, but will remain a martyr and give his support to Chiari. This, it is felt, might be an empty gesture. Many observers predict that even if Chiari is elected, Remon and his national police would not let him take office.

The students, who are making the headlines, may well be the determining factors in the whole political situation. They and their parents have not only proved their nuisance value, but also have successfully defied the police. At least, the police did not take any oppressive or punitive measures against the strikers.

The reason the Arosemena administration and the police have pussyfooted in this regard is that the death or serious injury of a single student might set off a nation-wide conflagration which would sweep both the Government and Remon into political oblivion.

## RED INFLUENCE

One of the most important diplomats in Panama says the students are mere tools of conflicting and sinister forces bent not only on preventing Remon's election, but also on provoking civil strife. The real masters of the student groups, he says, are pro-Communist elements who know that political chaos in the Republic would seriously handicap functioning of the Panama Canal.

Other new developments add to the anxiety. Rumors of a general strike are circulating. Known Communists are now seeking to organize workers in large business establishments such as the United Fruit Co.'s plantations in the interior of the country.

Many Panamanians believe that with Guatemala thoroughly organized and brought under the influence of the Reds, Panama is next on the Communist list. According to these sources, Moscow feels that the present confused political situation in the country makes it ripe for exploitation.

Up until very recently there was no clear-cut local issue of importance in the campaign. But in the last 2 weeks all parties, as well as the press and radio, have launched violent campaigns against the American-operated Canal Zone. An old issue is being revived, charging commercial competition by the Canal Zone against Panamanian business and industry. According to these charges the United States is violating a 1936 treaty by manufacturing milk bottles and other commodities in the Canal Zone for the distribution of food products to United States Government employees. Newspaper editorials assert that such competition is designed to throttle Panamanian economy and drive the country toward communism.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. RANKIN. The danger which I was pointing out applies also to Panama. If a foreign country can come and establish a naval base or an air base in Guatemala, they might do the same thing in Panama or anywhere else in Central or South America, if they can get the consent of the powers that be of the countries involved, and in that way they could virtually destroy the force of the Monroe Doctrine, which has been in existence more than 100 years.

Mr. LYLE. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, it is my purpose to discuss the rule for the consideration of the bill, S. 1851. The circumstances attending the consideration of this bill are unfortunate. It is here at this moment under some compulsion and implied threat and certainly under a cloud of misunderstanding. All of these things, sir, make it most unfortunate. It is said that if this bill is not considered and passed in a form which meets with the full satisfaction of the President of the United States and the Mexican Government, there will be no "bracero" labor available to assist our farmers in the coming months of harvest.

Mr. Speaker, seldom, if ever, should legislation be considered and enacted under such circumstances. Legislation should, in my judgment, be considered only on the basis of whether it is good or bad, needed or not needed. Then too, sir, there are many misunderstandings and misstatements which have resulted in the past years from the influx of



Mexican nationals into the southwestern part of the United States. This misunderstanding has generated unnecessary heat and has cast unfair aspersions on the farmers and ranchers of that part of the country. None of us, sir, and I repeat none of us, has any quarrel with the expressed purpose of this bill, S. 1851. The purpose expressed is to protect all of the borders of the United States against the illegal entry of aliens.

I do wish to emphasize, most strongly, that we are not to labor under the illusion that this bill will accomplish that purpose.

The immigration of aliens, legally or illegally, into this country is a national problem and a major one. It is no more so in south Texas and the Southwest than elsewhere. At times it is more evident and more dramatic along our Mexican border.

To protect our borders, Mr. Speaker, we must have more than a little black ink on white paper. We must have a working agreement based upon a thorough understanding of the problems, the reasons for illegal entry and crossings. It is a problem that cannot be solved through an emotional approach nor can prejudice and an appeal to class hatred contribute to an intelligent solution. It is most unfortunate that from the top down and on both sides of the border too many people who have little or no understanding of the problem or the issues involved have attempted to dictate the answer.

We should never lose sight of the basic principle that it is the responsibility of the Mexican and American Governments to protect the border between these two countries.

In this instance, as in many others, the issue is clouded by the impractical and unfounded conjectures of theorists whose objective is social uplift. The Mexican peon, unable to earn his subsistence in his own country, and thereby compelled to sneak into the United States, since that is the only practical manner of effecting entry, has no social problem which he recognizes as such. His is a problem of survival. He is not so interested in his civil rights as in the contents of his cook pot. True, all of us would like to see him able to live under more comfortable circumstances, but in the path of that high objective lie many obstacles. With the best of motives, those of us who do not take the trouble to view the problem through the eyes of the man who is confronted with it, are apt to find ourselves in the position of the elephant in the old fable who, having stepped upon a mother quail, decided to make amends by taking her place on her nest of eggs. Seeking to solve a problem we do not understand, we are likely to produce disastrous results.

The Mexican national comes to this country seeking work and food. He does not seek wealth or an increase in his standard of living. He seeks, rather, the means of maintaining his own standard of living. He looks with mistrust upon that which is unfamiliar to him. His wife would not trade, for example, her method of building a fire in a hole in the

ground, putting in a pot of frijole beans and burying the whole thing to cook all day while she is at work in the fields, for a modern electric range. Hers is the time-honored, familiar way, and incidentally, the beans are delicious. The impracticability of giving the Mexican national more than he seeks is particularly evident to those who have attempted to work them and have found that the first time the "bracero" found a few extra dollars in his pocket he was on his way back to Mexico to buy food for members of his family he had left behind.

There is another feature to this problem about which I think there should be no question. The ranchers and farmers of the southwestern portion of the United States should not be burdened with responsibilities in which the Governments of Mexico and the United have failed. We cannot rightfully be charged with the responsibility of policing the border, ascertaining the national origin of people in our area, or rounding up illegal immigrants. This does not presuppose a lack of interest in the matter or a lack of willingness on our part to cooperate with officers of the Government. We do repudiate the false inference that we entice Mexican nationals into this country, harbor them, hide them, and abuse them. There may be instances of such things, but they are rare and they are the exception.

The truth of the matter is that farmers and ranchers of the United States would much prefer American nationals, if they were available, for they are more skilled, more steady and more dependable, and they create much less difficulty.

The provisions of this legislation dealing with search and seizure are, it seems to many of us, so foreign to our well-established judicial process as to be dangerous. So far as I know, no rancher or farmer has refused or will refuse to permit any border patrolman access to his land in the performance of his official duty. The people of our part of the country love their land, their ranches, and their farms and they take great pride in the operation and development of them. Their lands are indeed their kingdoms, small or large, and they want to be sure that they have something to say about who comes trampling over them.

Mr. Speaker, the reasons which compel so many Mexican nationals to come into this country illegally create another danger and a burden peculiar to the border areas. The "braceros" do not come down the highway in cars and busses, and seldom do they come in trucks. They slip across, taking refuge in the brush of the large ranches along the border.

As hungry, hunted men in a strange land they constitute a distinct menace to the property and stock of these ranchers. Either the rancher must provide for them to be rounded up and fed, or they will help themselves, slaughtering his cattle, using what they want. It is not a matter of harboring them, but of the landowners protecting themselves. As any experienced border patrolman will verify, this practical, realistic approach to the problem simplifies their

task of rounding up the illegal entrants. It saves thousands of dollars, both to the Government and to the people along the border.

And is this a cruel and unnatural attitude? Whose responsibility is it to protect the borders of a country from illegal entry? What precaution does the Mexican Government take to keep its nationals from crossing the border illegally? Does it warn them of the consequences? Does it set up road blocks to keep thousands of its citizens from the interior from moving northward? Does it carry on any type of educational program to insist that immigrants cross legally? I am afraid that instead it confines itself to demanding prohibitive and unrealistic stipulations in its agreements with this country on the employment of Mexican nationals by our farmers and ranchers.

And our own Government, what steps have we taken other than running the victims down and herding them into court and back across the river? Have we actually and intelligently attempted to face the problem realistically? I am afraid we have not. We have spent billions in Europe and yet we have taken only a casual interest in the difficulties of our southern neighbors. The two governments have failed completely in solving the problem of the wetback.

Mr. Speaker, it may seem strange to some of you who are not plagued with the problem we are now considering that we raise so many questions when on the face of it, the bill appears to be simple. The bill is simple, but the forces that come to bear in the negotiation of contracts between this country and Mexico are not simple. The Secretary of Labor has shown little understanding of our problem and we cannot be proud of the help we have had from the Department of Agriculture and the Department of State. Realizing this, you may have a better understanding of our fear of any legislation which threatens our people and our institutions. We think that we are good Americans and, in fact, there are no better, and yet we have been given little voice in the determination of issues which so vitally affect us.

The farmer and the rancher in the southwestern part of the United States, during the harvest season particularly, must have seasonal labor. In the past the agreements between our Government and Mexico have not been practical agreements; they have not brought over a legal type of Mexican labor. The agreements are impractical; the matter of soliciting for the employees has been impractical; the method of dealing with them and taking them back, and feeding them, and housing them, and paying them, has all been impractical.

Let me emphasize, Mr. Speaker, that the people of my country do not want cheap or illegal labor; but so long as there is a vacuum which is created by a need for seasonal workers, so long as so many of the people of Mexico are hungry and without jobs, and so long as we view this problem as purely one of closing up the border, then you are not going to approach it with enough understanding to solve it.



Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield.

Mr. FISHER. As a matter of fact, the real answer to the whole problem of the so-called wetback situation is a workable international agreement to enable those people who want to work to go where they are needed on this side where there is a shortage of labor; let them cross legally and be processed.

Mr. LYLE. It is just as simple as that.

Mr. FISHER. That would eliminate this wetback evil. Is that correct?

Mr. LYLE. Unquestionably.

I want to again impress upon you that we do not want cheap, illegal labor in the Southwest. We are able to pay the going wage for any farm work or ranch hand, worthy of the pay; but the fact that you pass a bill and make it a felony for somebody to transport somebody else across the border, the fact that you give the immigration people the right to go upon all of the lands and search the cars and trucks and vehicles—which so far as I know they have been doing for years—is not going to solve the problem.

Let me impress upon you that the jails in the Southwest are full. You cannot pass enough laws to fill up any more of them because they are full already. There is no problem catching them; that is not the problem.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield.

Mr. CELLER. I would like to call the gentleman's attention to the provisions on page 3 of the bill to the effect that the employing of a Mexican if he is here legally shall not be deemed any wrong whatsoever.

Mr. LYLE. I am familiar with that and I am very pleased it is in there, because the gentleman understands the practical problems along the Southwest that dictated that proviso. I am discussing the fundamental reasons which cause these Mexican nationals to come here, and the lack of realism and foresight on our own part.

Mr. ELLSWORTH. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from Oregon.

Mr. ELLSWORTH. I wish the gentleman would clarify my mind on one point. I am under the impression that legislation we adopted last year, which provided a method and a means of bringing these people over and employing them particularly on farms, does provide that they have to come into the United States and work on a legal basis.

It is my impression this legislation is merely the second step to do everything we can in cooperation with the Mexican Government to keep illegal entries down to the minimum point. Is that somewhere near a correct statement of the situation?

Mr. LYLE. A correct statement is this: I may say to the gentleman from Oregon that we did pass a bill last year and the two governments did enter into a contract which, from the information

I have available, was not a very practical method of acquiring labor. But that has expired. And the President of the United States and the Mexican Government, so I am told by newspaper clippings, have said that unless we pass this bill or one very similar to it, certainly one that meets their full approval, there will be no further negotiations, there will be no further agreements whereby we may have the legal labor.

Mr. ELLSWORTH. In other words, the bill we passed last year will not be any longer in force since this agreement has expired?

Mr. LYLE. Yes.

Mr. ELLSWORTH. So that there is no provision at the moment for Mexican nationals to come into the United States and engage in farm labor, then return when their job is done?

Mr. LYLE. The Mexican Government has said it will not further negotiate with our country these several contracts.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I would like to call the gentleman's attention to the fact that the agreement has been extended for a period of 90 days from February 11.

Mr. ELLSWORTH. Does that mean that at the end of the extension there must be additional legislation?

Mr. WALTER. No; there will have to be another agreement.

Mr. LYLE. The President and the Mexican Government have said they will not negotiate further unless we do pass legislation which meets their approval.

Mr. CELLER. That is correct. We are told that unless this bill passes, which would give Mexico the authority to protect Mexican nationals coming into the United States as migratory laborers, it will not extend the agreement beyond the period indicated by the gentleman from Pennsylvania.

Mr. LYLE. This bill does nothing to prevent illegal immigration from Mexico, it has nothing to do with that. It was simply a threat by our own Government and the Mexican Government that you either pass this legislation or you will get nothing. I do not like to legislate under those circumstances. I have no quarrel with the principles of this bill, it being that people who illegally bring aliens into this country ought to be prosecuted and ought to be put in jail.

Mr. CELLER. Of course, this bill not only affects those who come in by way of the Mexican border, it affects aliens illegally here who come in from any point beyond the United States.

Mr. LYLE. This bill was brought up for one purpose at this time and one purpose only, and the gentleman knows it and I know it. That is because the President of the United States and the Mexican Government have said that if we do not pass it during the 90-day period there would be no further negotiation.

Mr. CELLER. It is applicable to all aliens.

Mr. LYLE. You have an omnibus bill pending.

Mr. CELLER. It is in that omnibus bill, too.

Mr. LYLE. But the rest of the bill is not before the House.

Mr. CELLER. The omnibus bill is practically the same as this bill, with a few exceptions.

Mr. LYLE. It is a hundred or more pages.

Mr. CELLER. The omnibus bill contains many provisions, of which one is this so-called illegal alien bill and we simply said that since the Senate passed this bill, the illegal entry bill, then we would accept the Senate bill.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from Connecticut.

Mr. MORANO. Can the gentleman tell me what the penalty now is for harboring aliens who come into the country?

Mr. CELLER. There are no penalties. That is the trouble. That was the loophole. Harboring and concealing did not involve any sanctions or penalties. In order to enforce what we deem to be a proper principle, namely, any alien who comes in illegally and anyone who conceals or harbors him knowingly with knowledge shall be guilty of a crime.

Mr. MORANO. What is the definition of "harboring?" Suppose an illegal alien from Central Europe came into the United States and was living at the home of a relative or friend.

Mr. CELLER. If that relative or friend with all knowledge of the facts harbors or shields or protects that alien illegally he is afool of the law.

Mr. MORANO. Do you not think that is a bit severe for people? There might be a twilight zone in whether or not you are harboring one of these people.

Mr. LYLE. There will be 2 hours to discuss the provisions of this bill. I want to get this clear because there has been so much misinformation and misstatement about it.

I want this to be clear: That Texas and the people from Texas and the Congressmen from Texas are not fighting those provisions about which you speak. They want you to be practical about the problem that faces American agriculture, not only in south Texas and in the Southwest but all over the United States. It may be difficult for you to find aliens in New York or Pennsylvania or Maine or some place like that. It is not difficult to find them in south Texas, if they are there. I can take you there and show you jails full of them, because the ranchers and the people themselves gather them up and tell the immigration officials they are there and to come and get them. Now, if you want to meet that problem, you cannot do it with this legislation or this type of legislation or any other compulsions which bring it here at this time. It has got to be a far more intelligent approach than so far has been made.



Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from New York.

Mr. COLE of New York. I was about to ask the gentleman what his recommendations would be? What is his opinion with respect to what should be done?

Mr. LYLE. Well, it would take me some time, and I will just say briefly that our Government and the Mexican Government ought to recognize this problem as we have discussed it here today, and they ought to issue to those who want to come into this country and have sufficient funds to come in here some type of pass to come in legally and work under conditions like all other employees work in the farm areas, without going through all of the difficulties to negotiate for several contracts, getting them in gangs as they do today, to perform farm work, which many of them are not qualified to do. That would be basically the suggestion I would make.

One of the great problems has been that the people who have negotiated these contracts have done so under pressure from the Department of Labor, the American Federation of Labor, and the CIO, not with farm groups, not with farmers, but with elements who have nothing to do with it and do not understand the problem. You cannot get a man to work on your farm in south Texas 10 miles of the border without the O. K., I am told, of the Secretary of Labor in Washington.

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from Texas.

Mr. FISHER. I think the gentleman has very correctly expressed the attitude of many of us with respect to this bill. Certainly I know, speaking for myself, that it should be a criminal offense for anyone to conspire to bring illegal aliens into this country. I do think, if this bill develops, that there are some provisions in here which are not necessary from the standpoint of enforcement of the law against illegal aliens.

Mr. LYLE. I agree with the gentleman.

Mr. FISHER. I think the gentleman hit on a point that should not be overlooked, too, when he referred to the fact that according to press reports the President of Mexico has demanded that legislation of this character be written before he would negotiate further with the American representatives for another agreement. I think we should be very cautious in considering the contents of any legislation brought here under those conditions to see that it properly protects American citizens against infringement upon their constitutional rights.

Mr. LYLE. I agree with the gentleman.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from Connecticut.

Mr. MORANO. I would like to ask the gentleman what objections did the President of the United States have, as well as the President of Mexico, specifi-

cally to implementing the legislation that we passed the last time?

Mr. LYLE. I do not know.

Mr. MORANO. The gentleman just does not know?

Mr. LYLE. No.

Mr. MORANO. Is there not some way of finding out what those objections are?

Mr. LYLE. I just do not know.

Mr. Speaker, under leave to insert extraneous material, I desire to place in the RECORD the full text of the joint report of the Mexican agricultural organizations and the American Farm Bureau Federation and the recommendations of the labor conference held in Waco, Tex., in January of this year, believing that they will be helpful in the consideration of this measure:

#### LABOR REPORT OF JANUARY 12, 1952

Attached is the full text of the joint report of the Mexican agricultural organizations and the American Farm Bureau Federation under date January 9, 1952. Also attached, for your information, is a copy of the points of view expressed by the representatives of the Mexican organizations and a copy of the points of view expressed by the representatives of the American Farm Bureau Federation. Both of these points of view were expressed prior to the agreement reached in the joint report.

As a matter of background, certain representatives of the American Farm Bureau Federation and representatives of the Mexican agricultural organizations had previously become acquainted during activity in the International Federation of Agricultural Producers. Ing. Alberto Salinas Ramos, president of the Asociacion Nacional de Cosecheros of Mexico City, arranged for a conference of 3 day duration and invited the American Farm Bureau Federation to send a team to confer with them in the matter of discussing the migratory labor problems as it affects both Mexican farmers and farmers within the United States. The Farm Bureau team was composed of R. E. Short, Arkansas; George Wilson, California; Delmar Roberts, New Mexico; Herbert Voorhees, New Jersey; Matt Triggs of the administrative staff; and myself. Ing. Salinas was joined by General Breceda and Lic. Rafael Rosas of his own organization and by Ing. Manuel Garcia Santibanez of the National Farmers Confederation and by Senor Fernando Gonzalez Calderon of the Cotton Producers Union of the Mexican Republic, and who also represents the National Confederation of Agricultural Producers.

Official representatives of both Governments sat in on all the negotiations, or talks, as observers. Both Governments were kept advised as to the progress of the negotiations at all times by the respective farm organizations. It is important to note that the joint reports and the points of view expressed by the respective organizations dealt with the fundamental problem, leaving the details to be worked out by the Government officials administering the program. It is significant to note that, while both parties expressed a strong desire to end the illegal migration of workers, there was no demand on the part of either group for punitive or penalty legislation with regard to the employment of illegals. As you will note, both groups are of the expressed opinion that the most proper way and expeditious way to prevent unauthorized or illegal migration of Mexican workers into the United States is an orderly program to permit legal entry of Mexican workers for temporary farm work in the United States and, of course, a continuing program which is not interrupted and which is planned and administered to the mutual interest of the two nations and to the mutual responsibility of both worker and employer.

It seems most important to the Mexican delegation that recruitment in Mexico be such that it will not throw the Mexican farmers in direct competition with employers of Mexican agriculture. The groups agreed that this can be done by some careful planning to make sure that recruitment is made in areas where there is a surplus of farm workers or in other areas during the time of year in which workers are not so vitally needed for domestic production in Mexico. The Mexican delegation is most anxious that we likewise help with their problem by giving them, through our Government, advance notice as to the number of workers needed in the various months. At this particular time there seems to be very little chance of our being able to supply the need for long-period workers—workers which are semiskilled, such as tractor drivers and cow punchers which we, you might say, need from now on. The Mexican delegation very frankly stated that they, too, desire these skilled workers to return after they have become somewhat adept in the operation of mechanical equipment.

It is the consensus of the Farm Bureau delegation that much was accomplished, inasmuch as this was the first time that two producers groups actually sat down to work out fundamental agreement, based on the mutual interests of both. In the past all negotiations, all discussions have been between the two Governments of Mexico and the United States. It is my personal hope that negotiations between the two Governments will begin immediately to work out a new international executive agreement based on the fundamentals agreed to and adhered to in the joint report and the points of view in the two different groups expressed here.

In the meantime, it is most important that the Governments of the two countries extend the agreement on an interim basis to provide for a continuity which seems to be so important to both countries. These recommendations have been made to both Governments. It remains to be seen whether the Governments of the two countries will accept the challenge and make use of the agreements between the farmers of the two nations as to fundamentals. If those in charge of the administration of the program sincerely want to carry out the wishes of agriculture in the North American Continent, we can certainly expect that they will make use of the advice and counsel of the heads of these organizations who spent so much time in an effort—an honest effort—to see the points of view of their neighbors across the international boundary. There now seems to be little doubt that a less complicated program can be administered. A basis for understanding has been made. The details of the operation should not be too difficult.

C. B. RAY.

JANUARY 12, 1952.

#### JOINT REPORT, MEXICO, D. F., JANUARY 9, 1952

Recommendations of Conference of Representatives of Confederacion Nacional Campesina, (National Farmers Confederation), Asociacion Nacional de Cosecheros, (National Harvesters' Association), Confederacion Nacional de Productores Agricolas (National Confederation of Agricultural Producers), and American Farm Bureau Federation, relative to the Employment of Mexican Farm Workers in the United States:

1. Mexico and the United States have an important role to play in producing increased supplies of food and fiber needed to maintain social and economic stability, to improve standards of living, and to contribute to the economic mobilization of the free nations of the world.

The Mexican organizations of agricultural producers participating in this conference uphold in principle the belief that funda-



mental interests of Mexico for its agricultural production does not make the exodus of agricultural workers advisable, but considering the present world situation, they agree that the migration of Mexican agricultural workers to the United States is a problem requiring the cooperation of the two free countries in an endeavor to increase the world supply of agricultural products by means consistent with the fundamental axioms of the United Nations Organization, which are supported by the International Federation of Agricultural Producers.

2. The need for farm workers in the United States, intensified by an expanding industry and military force, has inevitably created an unauthorized and illegal migration of Mexican workers. It is our common objective to replace this illegal migration by a practical, orderly program to permit legal entry of Mexican workers for temporary farm work in the United States to the extent that this is not prejudicial to the needs of the expanding agriculture of Mexico.

With the mutual cooperation of our two countries in the development of an orderly legal program we are certain that continued progress may be made toward furthering the employment in the United States of those Mexican workers who have complied with the migratory requirements of Mexico, with the exclusion from such employment of those who cross the border illegally.

3. Our respective agricultural organizations will, in cooperation with appropriate government agencies, endeavor to the maximum extent to obtain and to exchange information relative to the need for farm workers in the various areas of the United States, the duration of the need in such areas, and the availability of farm workers in the various areas of Mexico; and will further endeavor to improve the operation of the program by encouraging a cooperative attitude and understanding of the program by employers, workers, and officials of our two Governments.

4. We recommend the development by the appropriate Mexican and United States agencies of means to avoid congestion and delay of workers at migratory and reception centers and by such means to reduce unnecessary expense incurred by workers while awaiting the completion of transportation arrangements at such centers.

5. The recruitment of farm workers should be limited to those regions where, or during periods when, no scarcity of workers exists, with preferential attention to the temporary migration of workers from densely populated rural areas where excess agricultural workers are available.

6. The development of a long-time, smoothly operating program of maximum mutual benefit to the people of Mexico and the United States necessitates continuity of administration. Periodic disruption of its operation tremendously handicaps and defers the development of a satisfactory program best serving our mutual needs. We therefore regard with concern the expiration of the present agreement for the recruitment of Mexican farm workers on February 11. If measures are not taken to permit the continuation of the present program it will result in hardship to many workers who might otherwise be employed, unnecessary costs to employers and workers, and material losses of production of essential farm commodities. Each week of further delay in renewal of the agreement will adversely affect production. We urge early extension of the agreement.

7. We recommend consideration of revision of the workers' contract to provide mutual responsibility of both parties for compliance with its obligations.

8. The paramount factor in the successful future development of the program is the cooperative attitude of officials of our two Governments and of the workers and em-

ployers involved. This is something which cannot be written into contracts or international agreements. It arises out of a continuity of program, good faith, and successful experience in its administration, consideration of mutual needs and understanding of contractual obligations.

We pledge upon behalf of our respective organizations cooperation in the development of a program which will satisfactorily serve the interests of the people of Mexico and the United States and improve the world situation with respect to the supply of essential foods and fibers.

These recommendations have been developed by representatives of the National Farmers Confederation, National Association of Harvesters, National Confederation of Agricultural Producers, Union of Cotton Producers, and American Farm Bureau Federation.

For the agricultural producers of Mexico: the National Farmers Confederation (Confederacion Nacional Campesina), by Ing. Manuel Garcia Santibanez, representative; National Harvesters' Association (Asociacion Nacional de Cosecheros), by Ing. Alberto Salinas Ramos, president; National Confederation of Agricultural Producers (Confederacion Nacional de Productores Agricolas), by Fernando Gonzalez Calderon, president; Cotton Producers' Union of Mexican Republic (Union de Productores de Algodon de la Republica Mexicana), by Fernando Gonzalez Calderon, representative. For the American Farm Bureau Federation: R. B. Short, vice president, American Farm Bureau Federation; George Wilson, president, California Farm Bureau Federation; Delmar Roberts, president, New Mexico Farm Bureau Federation; Herbert Voorhees, president, New Jersey Farm Bureau Federation; C. B. Ray, representative, Texas Farm Bureau Federation.

#### POINTS OF VIEW EXPRESSED BY REPRESENTATIVES OF THE NATIONAL FARMERS ASSOCIATION (ASOCIACION NACIONAL DE COSECHEROS) IN CONNECTION WITH THE MIGRATORY PROBLEMS OF AGRICULTURAL WORKERS, MEXICO, D. F., JANUARY 7-9, 1952

1. The problem of the movement of agricultural workers between Mexico and the United States should be considered as one requiring the cooperation of two free countries interested in increasing the production of food products and prime materials, in accordance with the fundamental axioms of the United Nations Organization which is sustained by the International Federation of Agricultural Producers (Federacion Internacional de Productores Agricolas).

2. The contracting and employment of Mexican agricultural workers by agriculturalists of the United States must be on a basis of dealing exclusively with those workers who have fulfilled the migratory requirements of their native country, excluding those who cross the border illegally.

3. On a basis of professional solidarity the agricultural organizations of the United States will inform the National Harvesters' Association (Asociacion Nacional de Cosecheros) as exactly as possible, through the International Federation of Agricultural Producers or the American Farm Bureau Federation, of the need for workers in the different production zones, and also give information as to the agricultural production zones in which they will be employed and the duration of said employment. The object of the above is to permit the Mexican farmers to plan their work with relation to the agricultural cycles pertaining to the preparation of the land and the harvesting of the crops.

4. An easier contracting formula must be found, avoiding agglomerations at the entry

and departure stations for agricultural workers, as well as the unnecessary expenses that the workers themselves incur for their support while without a job for the time interval between the date of their presentation at the stations and the departure to their destination.

5. The contracting of agricultural workers must be limited to those States where no scarcity of such workers exists, excluding, of course, the northern States of the Republic and others that have been converted into potential agricultural production zones, such as Chiapas, Veracruz, Mexico, Puebla, and Nayarit, giving preferential attention to the temporary displacements of the largely populated rural areas where low-working conditions exist.

#### POINTS OF VIEW EXPRESSED BY REPRESENTATIVES OF THE AMERICAN FARM BUREAU FEDERATION, MEXICO, D. F., JANUARY 7-9, 1952

Upon behalf of the American Farm Bureau Federation the representatives of said federation wish to express their appreciation to the Mexican farm and business organizations for the invitation to meet with you and the opportunity of discussing the problems involved in the use of Mexican workers in United States agriculture.

Pursuant to our preliminary discussions and with the hope that a frank expression of our viewpoints on the various problems involved may help to create mutual understanding, we would like to set forth our comments and recommendations as follows:

1. World food situation: It is generally appreciated that the current world food-supply situation is most critical indeed. Although food production in the world has been increasing in recent years, the world's population has been increasing even faster. Many countries which once produced substantial food surpluses to move into world trade are no longer able to do so to the same extent. The world food situation is an important part of the endeavor to create more stable economic and social conditions and higher standards of living. In this endeavor Mexico, the United States, and Canada have an important role to play in supplying the food and fibers needed to maintain social and economic stability.

2. United States agricultural production: In consideration of the important part that food plays in economic mobilization of the free nations of the world, the food and fiber production goals established by the United States Department of Agriculture for 1952 exceed the 1951 goals substantially. They represent the largest agricultural production the United States has ever been called upon to provide.

3. Farm-labor situation in the United States: The expansion of the military forces of the United States and the continued movement of workers from agriculture to industry have reduced the working population in our agriculture to the lowest level in many decades. United States agriculture is therefore called upon to produce more agricultural products to meet our own needs and the needs of other countries than at any time in history with a small and constantly declining farm-labor supply.

4. Mexican farm-labor program: The 1951 Mexican farm-labor program therefore filled a very important gap in our agriculture. Its importance is larger than the numerical numbers of workers involved would indicate because of their use at critical farm-labor requirement periods. We believe that this program has been of mutual benefit to the people of both the United States and Mexico. We are confident it has contributed significantly to the world's supply of food and fiber. It is appreciated that the use of Mexican workers in the United States must be coordinated with the needs of Mexican farmers for the same workers, since Mexico too



is called upon to make a greater contribution to the world supply of agricultural products.

5. The problem of illegal entry: The need for farm workers in the United States has inevitably attracted large numbers of Mexican workers who have migrated to the United States without authorization. It is our common objective to eliminate this illegal migration. We do not believe that any program should contemplate that there is any one single measure which will eliminate such illegal migration. We feel there is a combination of measures which will attain this objective, founded upon the continuation of mutual confidence and cooperation between the peoples and the Governments of Mexico and the United States.

6. A legal program: We feel that the most important measure to reduce the extent of the illegal migration of Mexican workers is the development out of our 1951 experience of a cooperative program between our two countries to provide an orderly legal procedure for meeting the need on both sides of the border. We do not believe this program can be evolved overnight, but is rather one which can be achieved relatively soon as experience in administration is accumulated.

7. The migratory-labor agreement: It is our conviction that the development of a long-time smoothly operating program of maximum mutual benefit to the people of both countries involves an element of continuity. It is not possible to develop a satisfactory program if the program is subject to constant change or if its operation is periodically disrupted. Significant losses of experience, disruption of administration, and excessive costs are involved in such periodic disruption. We therefore regard with great concern the fact that the present agreement is due to expire on February 11. Workers are needed in some areas now and if they are not made available, losses of 1952 production will be sustained. In other and later areas farm operators are currently making their production plans for 1952. Unless they are provided assurance soon of an adequate supply of labor, the production of cotton, vegetables, and of many other crops with high labor requirements is going to be significantly reduced. Each week of further delay in renewal of the agreement will involve losses of food and fiber to meet our domestic needs and foreign commitments.

8. Proposed legislation: We consider that deferral of consideration relative to the renewal or renegotiation of the agreement until additional legislation is approved by the United States Congress will significantly jeopardize production of essential foods and fibers.

9. Contract: We earnestly recommend consideration by both Governments to revision of the migrant labor agreement and the worker contract to provide mutual responsibility by both parties to the contract for compliance with its provisions.

10. Cooperation: Finally and perhaps most importantly we believe that the successful future development of the farm worker program will depend primarily upon the cooperative attitude of officials in our two Governments and of the workers and employers involved. We do not believe this cooperation is something which can be written into international agreements or contracts. It arises out of a continuity of program, a continuity of confidence, good faith, and successful experience in administering the program, and in broader understanding and compliance with contractual obligations. We would think it undesirable and harmful to the successful development of the program to endeavor to correct every difficulty and problem by refinement of the agreement and contract. While frequently appearing to be desirable each such detailed provision eliminates flexibility and tends to create other and frequently unanticipated difficulties. Each additional restriction and

complication included in the contract tends to make the legal program less desirable and less successful, discourages the development of a successful legal program, and reduces acceptance of and cooperation with the program. The most satisfactory development of the program can come only as the result of the application of the principles set forth above.

LABOR CONFERENCE, WACO, TEX., JANUARY 16, 1952

No. 1: We recommend that the present agreement between the Government of the United States and Mexico concerning immigrant labor, approved August 1951, including farming, dairying, ranching and livestock, and the processing of agricultural products be extended to such a time until a permanent agreement be worked out between the two countries despite the fact that the present agreement is unsatisfactory, too complex and practically unworkable.

No. 2: That we are opposed to any legislation which intrudes upon the constitutional right against search without a warrant or any legislation which permits trespass on our farms and ranches.

Legislation establishing penalties for harboring illegal aliens should include:

(1) A statement of congressional intent, in that the language of the law is not intended to apply to employment itself.

(2) A provision that the penalty provisions of the law with respect to transporting, concealing, harboring, or shielding an illegal alien from detection and other provisions of the law shall apply only to those who knowingly and with intent violate its provisions.

No. 3: It is our further recommendation that any new contract between the Government of the United States and the Government of the Republic of Mexico be based upon and given full recognition to the declaration of principles in the joint report of the Mexican agriculture group and the agriculture group of the United States, which report is dated January 9, 1952.

It is of the fact that the existing contract between Mexico and the United States would expire February 11, 1952, and such expiration would result in a serious handicap to American agricultural production. We, therefore, recommend that the Congress and all affected Government agencies take immediate action to give a hearing to all interested parties that they may present their views relative to this whole problem and that a new contract between Mexico and the United States be consummated without delay.

No. 4: We commend the West Texas Chamber of Commerce for their foresight in calling this conference on the all-important agriculture labor problem. In order to implement the agreements stated herein we pledge a voluntary exchange of information and progress reports one with the other.

(Mr. LYLE asked and was given permission to revise and extend his remarks.)

Mr. ELLSWORTH. Mr. Speaker, the rule making in order the consideration of the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally is now before us. I know of no objection to the adoption of the rule.

The purpose of the bill is clearly stated in the report of the committee, as follows:

The purpose of the bill is to overcome a deficiency in the present law by making it an offense to harbor or conceal aliens who have entered this country illegally, and to strengthen the law generally in preventing aliens from entering or remaining in the United States illegally.

The rule calls for 2 hours of general debate, and is the usual open rule.

Mr. Speaker, I know of no objection to the rule on the part of the Rules Committee members on the minority side, and I have no further requests for time. I yield back the balance of my time.

Mr. LYLE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Speaker, this felony bill on illegal aliens will not bring to a halt the flow of wetbacks across the Rio Grande. There are many reasons why this is true.

There have been those columnists and high Government officials, including the Secretary of Labor, who have stated that we discriminate against and abuse these people. The facts are that we pay from five to at least ten times more in wages on this side of the Rio Grande than are paid to these same laborers in Mexico, and that we furnish them better housing and living conditions than can be afforded them on the Mexican side.

At the present time Mexico is suffering a terrible drought. Press releases from Mexico City show that over 10,000 farmers and their families are threatened with starvation, because of their terrible economic plight. These men are desperate in their desire to support themselves and their families, and they will brave gunfire, imprisonment, or any penalizing Federal law to cross the border to seek employment to support their families. They have to come across if they are to survive.

The employers in my district would much prefer to employ legal labor instead of wetbacks. The employment of wetbacks is highly impractical, because just about the time they begin to harvest the crops and are out there in the fields, they are picked up by the border patrol and therefore furnish a very unstable labor supply.

First, I want to see local labor employed wherever it is willing and able to do the job, but I am aware that there are those times at the peak of our harvest when it is impossible to obtain a sufficient supply of local labor to harvest the crops. Under those conditions, I cannot believe that either local labor or the employers think those crops should rot in the field, since they are needed for our own economy and for the Nation's defense efforts.

The logical solution to all of this problem is a practical contract between the United States and Mexico under which the farmers of south Texas can operate. We have legislation in the new omnibus immigration bill that would take care of it. It would give us a border-crossing card similar to that of Canada, which could be used when the Government finds we have jobs that cannot be filled by citizen labor.

I have taken this up with the executive department, and have been told that we have no hopes of seeing it put into effect so long as there is any chance of a contract between the United States and Mexico on labor, and, unfortunately, this means one largely dictated on Mexican terms.

The results are that we are stuck with an impractical labor contract between



the United States and Mexico. We find today the Government of Mexico is dictating this legislation on the floor of Congress, and demanding that we pass this felony bill against our own citizens, or they will not enter into a contract to furnish labor.

Under the omnibus immigration bill, with provisions for a border-crossing card, we have a legal means of taking this weapon and this coercion from Mexico and recruiting the labor, but the executive department refuses to utilize it.

Many may wonder why we have this inconsistency of people in Mexico desperately needing employment, and the dollars to support their families, while at the same time the Government of Mexico does its utmost to put limitations in the contract that make it impractical, and to coerce the Congress into passing this felony legislation on its own citizens. The reasons are simple—when you understand the make-up of the Mexican Government. The farmers of northern Mexico want to keep their labor on their own terms. They do not want them to cross to our side of the Rio Grande. Their reasons are personal and selfish and do not consider the welfare of the employees. They know that if Mexican citizens come over to this side under the labor contract, we will house them better than they are in Mexico; we will provide them with a more adequate diet; and we will give them much higher wages and better working conditions. They consider this unfair competition and spoils their employees.

These facts are all true of that area of south Texas that some columnists have maligned, and even the Secretary of Labor criticized in his recent speech in Texas.

I wish in all fairness and desire that the complete story be made known, and that the Secretary of Labor had not chosen just a few isolated instances of abuses in our State, and condemned all our people for what probably 2 percent have done. The Secretary of Labor should have, in the interest of fair play, told what we have done in recent years to improve the conditions of contract labor in south Texas. The wages of these employees in the last year have been raised substantially. Better housing has been provided, and those employers who cooperate to this extent should be given credit for it. Conditions have been materially improved.

If the Secretary of Labor really wants to help solve the problem, he should have devoted at least as much time trying to work out a practical labor contract between Mexico and the United States as he has to castigating the people of Texas and working for the felony legislation.

There are innumerable impracticalities in the present bill which I have taken up with the Department of Labor, and up to this day have had no assurance from them they will support any of the modifications of the contract in their negotiations with Mexico.

I shall enumerate just a few of the more obvious impracticalities in the

present contract which makes it so difficult to obtain an adequate supply of legal labor in times of local shortages of labor and bumper crops:

First. By experience farmers have found that many nondesirable employees have been recruited by the Department of Labor in Mexico on the bracero contract. Among those who have been cleared by the Department for the purpose of farming have been found taxicab drivers, habitual drunkards, gamblers, and others who refused to work at assigned jobs and left immediately on reaching the point where the work was scheduled to begin.

An example is a recent bracero who, on arriving at the place of employment, told the farmer that he had no intention of working on the contract—that he was a banker in Mexico, and had merely come on the trip because he needed the vacation.

The results are that the farmer has paid the Government processing costs of \$15 a person for each of these employees, and immediately loses that amount on each one who is found unsatisfactory or refuses to carry out his contract. The contract should provide that at no additional cost to the employer that this type employee should be replaced.

Second. Where the employee makes the pretense of doing the job and then defaults on the contract before it is completed, the farmer should be protected in that he should be allowed to pay one-half of the processing fee on obtaining the laborer, and the other half on completion of the individual laborer's contract. In the event the Government is unable to replace the man who skipped out on his contract, then the farmer should not be liable for the balance of the processing fee.

Third. The Congress, in passing the law enabling the contract between the United States and Mexico, placed a maximum cost on processing of such laborers at \$15 per person processed, such cost to be paid by the farmers.

The Congress clearly stated this was to be the maximum charge, and the Executive Department immediately availed themselves of the full maximum, and charged the farmers \$15. An accurate cost-accounting system concerning the cost of processing Mexican labor by the Government should be made, and the cost to the farmers for contracting such labor should be reduced in conformance to actual cost to the Government.

Fourth. Recontracting and resulting transfer of workers between employers should merely require a simple endorsement of the worker's existing contract, and therefore should be accomplished at no additional cost to the new employer. The new employer should accept and assume the responsibility stipulated in the worker's contract and the original employer should thereby be released from such responsibility. The transfer would, of course, be subject to the approval of the USES and the Mexican representative.

Fifth. Aliens living in the United States prior to August 1949 and having lived there since that time should be

subject to contracting, and not disqualified by reason of voluntary departure to Mexico for a short period.

Sixth. At the present time when a farmer makes application for the employment of such labor, the certification of need for labor beyond that available in the area has to be accomplished in Washington. It is fantastic that the Labor Department is so jealous of its Washington authority that it will not delegate such authority at least to its regional offices in order that processing of such contracts could be materially expedited. Many of these contract certifications have taken at least 2 or 3 weeks before the processing was accomplished, and such delays can be so material in the harvesting of agricultural products that the certification can well come through after the need for labor has passed.

These are just a few of the needed reforms in the present United States-Mexico labor contract.

It is my hope that despite the discouragement I have received from the Labor Department as to any commitment as to what they will support in negotiations with Mexico, that by the time the negotiations are started, they will see fit to support these recommendations.

If they will only lend as much influence to ironing out some of the impracticalities of the contract as they have exhibited in supporting this felony legislation, I feel that great strides would be made in improving the contract.

If they are really sincere in their effort to stop the flow of illegal aliens, and their desire is not merely an effort to force on us a shortage of labor, then they will lend every effort to work out the real solution to the stopping of this flow of illegal aliens across the Rio Grande by giving us a practical labor contract.

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

[Mr. HOFFMAN of Michigan addressed the House. His remarks will appear hereafter in the Appendix.]

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union, for the consideration of the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union, for the consideration of the bill S. 1851, with Mr. HERLONG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.



Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, it is indeed unfortunate that the measure under consideration has been described as a wetback bill. Of course, that was inevitable because the State of Texas is a part of the Union, and the problem of aliens illegally entering the United States is there as well as elsewhere. But, actually what this measure is designed to do is to cure a deficiency in the fundamental statute. Let me call your attention to section 8 of the Immigration Act of 1917. It reads as follows:

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not exceeding 5 years, for each and every alien so landed or brought in or attempted to be landed or brought in.

And, I ask you especially to note this language: "for each and every alien so landed or brought in or attempted to be landed or brought in."

So, Mr. Chairman, the language of the act is deficient in that it does not spell out a punishment for harboring aliens who are illegally in the United States. It is in an attempt, and I am sure we have done so, to cure this situation that this measure is before the House today. I would like to call your attention to a part of a decision of the Supreme Court involving the said section 8 of the 1917 act, in which the Court argues "if only imperfect grammar stood in the way, the construction might be accepted."

Mr. WERDEL. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from California.

Mr. WERDEL. I would like to ask the gentleman if he does not believe it is presently a crime to harbor an alien in the United States.

Mr. WALTER. It is a crime to harbor an alien in the United States, but there is no punishment for it. It is because of that situation that we feel this legislation is absolutely essential—not because of the situation in Texas.

It seems to me that the problem in Texas is a very simple one. It has been worked out with respect to the borders between the United States and Canada. People pass freely back and forth across the borders. There are 3,000,000 border crossings each year between Detroit and Windsor. People live in Canada and work in Detroit, and vice versa. In the New England States it is common practice for the Canadian woodsmen to come down into the New England States to cut the trees. There is no problem there. It seems to me that the problem in Texas

can be solved just as easily as it was elsewhere. I do not believe that the people in Texas want to hire these aliens who are here illegally. I am not impressed with the argument that they want "wetbacks," because they can pay them substandard wages. I do not believe that that is the situation, but I want to call your attention to one very important fact, namely, that there is no immigration quota for people born in Mexico. So that no alien born in Mexico has any trouble in coming into the United States so long as he crosses the border legally in compliance with the immigration laws.

I would like to go just a step further with this decision of the Supreme Court. The Court said:

The Government in effect concedes that in terms the section prescribed no penalty for concealing or harboring. But it argues that inclusion of them as offenses becomes meaningless unless the penalty provision, in spite of its wording, is construed to apply to them as well as to bringing in or landing. In other words, because Congress intended to authorize punishment, but failed to do so, probably as a result of oversight, we should plug the hole in the statute.

The Supreme Court goes further to say:

To do this would be to go very far indeed, upon the sheer wording of the section. For it would mean in effect that we would add to the concluding clause the words which the Government's reading inserts, "and for each and every alien so concealed or harbored." It is possible that Congress may have intended this. But for more than one reason we cannot be sure of that fact.

Quite obviously the Congress did intend that there should be a penalty for harboring, but the language of the act makes it impossible.

In this case, United States against Evans, decided in 333 United States, the entire question was thoroughly discussed. We are not concerned with the problem in Texas. What we are concerned with are the thousands of aliens illegally in the United States today. Last year a subcommittee, consisting of Messrs. Boggs of Delaware and Gossett, made an investigation of the situation along the Atlantic seaboard, and reported that there were over 200,000 aliens illegally along that seaboard. That is the kind of situation that we feel should be dealt with, and it is impossible to do anything about it if the real criminal is not prosecuted.

Some time ago a man in Florida was sentenced to 38 years in the penitentiary under another statute. He was engaged in the racket of transporting subversives into Florida from Cuba.

In order to get at that person who could not be punished under this statute, it was necessary for our Government officials actually to kidnap two co-conspirators from Cuba and bring them to the United States where all three of these people were prosecuted and the real culprit sent to the penitentiary for 38 years.

Mr. PICKETT. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. PICKETT. Up to this point the gentleman has indicated that the only

reason for this legislation being on the floor is to correct the hiatus in the law under the Evans case decided in 1948. He states accurately, of course, that it is an offense to harbor an alien in the United States, but the Evans case says there is no penalty for it.

Mr. WALTER. The gentleman is correct.

Mr. PICKETT. Are there other reasons why this bill is here? And if so, what are they?

Mr. WALTER. Yes; there is another reason: The provisions of S. 1851 are quite similar to those contained in the new omnibus immigration and naturalization code. That code will be considered, I hope, within the next few weeks; but in the interim Senator KILGORE and Senator EASTLAND worked out this bill that we have under consideration in order to make certain that the treaty between the United States and Mexico with respect to seasonal labor be renewed; and it was for that purpose that these provisions are being considered here today.

It is the intention of the Committee on the Judiciary when the code is considered and adopted—and I am sure it will be—that this bill we are now considering be repealed so that all immigration and naturalization laws will for the first time in a great many years be in one volume.

In this connection I wish to point out to the gentleman from Texas that the Attorney General under the new code is given ample authority to work out some way to permit this seasonal labor to work in the United States. What these employers do not want to do, of course, is to guarantee that these laborers will leave the country. That is one of the reasons why there is opposition to this bill. Today they work for a time in Texas, then move on up into Colorado, and then on across the country to Pennsylvania where today they are engaged in reconstructing many miles of track of the Pennsylvania Railroad. They are all illegally in the United States and, of course, are competing with American labor.

Mr. PICKETT. Mr. Chairman, will the gentleman yield further at that point?

Mr. WALTER. I yield.

Mr. PICKETT. This bill goes much further than just correcting a legal hiatus in the penalty provision. Would the gentleman explain to the Committee just how much further this bill does go?

Mr. WALTER. It does not go any further than I have stated to be the fact; and it does not go any further than the Congress intended we should go when the basic law was enacted, the law in which there was the oversight we are now trying to correct.

Mr. PICKETT. I have not said that the gentleman has not made a correct statement insofar as he has gone, and I do not want to be so understood. Under the present law these offenses are misdemeanors, if I understand the law; the gentleman's proposed bill would make them felonies. Under the present law we have certain requisites for arrest with and without warrant; in this bill



it is provided that the administrative official may issue and execute warrants under proper direction.

Mr. WALTER. That is correct.

Mr. PICKETT. Then it does go further than present law, does it not?

Mr. WALTER. Insofar as spelling out a felony rather than a misdemeanor, which is simply in line with the provisions of the recently enacted title 18 of the United States Code, I want to point out the fact that members of our committee from the State of Texas had no objection to that. The gentleman from Texas [Mr. WILSON] very definitely announced that it made no difference whether it was a felony or a misdemeanor, for I assume that no Texas judge would ever send anybody to jail; anyway, that is only my supposition.

Mr. CELLER. If the gentleman will yield, the penalty is up to \$2,000 and up to 5 years in jail. The sentence could be 1 day in jail and 1-cent fine.

Mr. PICKETT. Yes; but under this proposed bill the penalty is not to exceed \$2,000 fine or more than 5 years in jail, and makes it a felony.

Mr. WALTER. That is right, and it is absolutely essential if we are to adequately deal with these racketeers who are concealing aliens by the hundreds all over the United States. That is the crowd we are trying to do something about. We are thinking in terms of the man who sits back in the interior of the United States where there is a big steel mill and does no work, yet exacts a tribute from people he is harboring and concealing under the threat of exposing them if they do not contribute to him. That is the man we are thinking about. We are thinking about the professional gangster, if you please, who has hundreds of these people concealed in very convenient places.

Mr. PICKETT. The point with me still is that this bill goes much further than to create a cure for the hiatus in existing law, does it not?

Mr. WALTER. No; I do not think it goes any further than the Congress intended to go.

Mr. PICKETT. I did not ask about what the Congress intended. I asked what the law is.

Mr. WALTER. Of course it does. It provides a punishment where there is none today.

Mr. PICKETT. It also provides for searches beyond the 25-mile limitation basis as you have in section 2.

Mr. WALTER. Yes.

Mr. PICKETT. It provides for the issuance and execution of an administrative warrant, which does not exist under existing law?

Mr. WALTER. That is correct.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GRAHAM. I have one request for 15 minutes to speak out of order and if there is no objection I will yield the 15 minutes at this time.

Mr. CELLER. Mr. Chairman, I yield myself 12 minutes at this time.

Mr. Chairman, as has been wisely said by the gentleman from Pennsylvania [Mr. WALTER], this bill is not intended

to get after those who desire to abide by the law. It seeks to get after those who are endeavoring to entice innocent, harmless Mexicans over the border to harbor, to conceal them, and to exploit them. You must remember that a wetback, because of his illegal presence, is exploitable. We want to get after those who are exploiting the wetback. A wetback is like a stray dog. He tries to be agreeable, he will accept much ill treatment, at least up to the point where he slinks away and tries his luck elsewhere. He is often overcharged for what he buys and underpaid for his work and is always in fear of being deported.

The gentleman from Pennsylvania spoke of racketeers. Let me read to you briefly from the report on migratory labor of the President's Commission on Migratory Labor:

Wetbacks who are without funds to pay the smuggler for bringing them in or to pay the trucker-contractor who furnish transportation and direction from the boundary to the farm are frequently sold from one exploiter to the next. For example, the smuggler will offer to bring a specified number of wetbacks across the river for such an amount as \$10 or \$15 per man. The smuggler or boatman, with his party in tow, will be met by the trucker-contractor who will then buy the wetback party by paying off the smuggler. The trucker-contractor in turn will have a deal to deliver workers to farm employers at an agreed-upon price per head.

Those are the malefactors we want to get after. We want to punish those who exploit and oppress these illegals.

The so-called illegal is under jeopardy of immediate deportation if caught. He is usually a hungry individual. His need of food and clothing is pressing. He is a fugitive. He cannot protest no matter how unjustly he is treated. The law operates against him not for him. There are those who capitalize on this misfortune of the illegal. It is these offenders that we want to get after.

The farmers and ranchers are for the most part decent and honorable people and are not guilty of unfairness. But there are some who exploit these illegals. It is against them that the bill is aimed.

Now we know that as the result of encouragement given to the farmers to increase their farm productivity, to increase their cotton acreage, the citrus fruit acreage, more laborers are required. The crops must be harvested. It is estimated that from 200,000 to 250,000 extra farm workers are needed during certain periods of the year when these crops come to fruition. And, they must be gathered; they cannot rot. We must, therefore, help those on the border States, like Texas, New Mexico, Arizona, and California, to gather their crops in. There are not enough American workers. Therefore, in the wisdom of the Mexican authorities and the United States authorities treaties have been entered into whereby Mexicans were encouraged to come temporarily across the border and to get employment to harvest these crops. Because of the defects in the law these exploiters, as explained before, these smugglers, have, with utmost rapacity, sought to enrich themselves by bringing in and enticing these Mexican laborers without any degree of social re-

sponsibility. They do not bother with reference to customs patrol; they do not bother with reference to health investigations; they do not bother with any of the laws that are applicable at the border.

What has happened? Numbers of these Mexicans have come in who are disease ridden. Look at the infant mortality tables in the counties along the border. You would be astounded to see how high these infant mortality tables are along the border. There are no health inspections of wet backs, coming across the border. And, it is for the purpose of providing examinations to see that these Mexicans abide by our health requirements, to see that they abide by our internal security requirements, to see that they abide by our narcotic laws, that we want this bill passed.

One of the dangers to health due to wetbacks. Permit a quotation from the report of the President's Commission on Migratory Labor:

The wetback undergoes no health or physical examination as he illicitly enters the United States. The bringing in of disease and contagion cannot, therefore, be avoided. Moreover, while he is here as an illegal alien, the wetback will not ordinarily risk the chance of apprehension by seeking medical or health assistance. Reciprocally, the health and medical service agencies that might otherwise be ready to provide assistance for residents will ordinarily be foreclosed to the wetback, even if he were to seek aid, because of residence ineligibility. This circumstance does not arise with legal foreigners for whom provision is made.

One of the most sensitive indicators of the state of public health in any population is the rate of infant mortality. This is defined as the number of deaths under 1 year of age per 1,000 live births. For the United States at large, this rate in 1948 was 32. The State-wide average for Texas was 46.2; for the 28 counties of Texas on or immediately adjacent to the border, the average rate was 79.5. In the three counties commonly regarded as constituting the Lower Rio Grande Valley, the infant mortality rates were as follows:

|         |       |
|---------|-------|
| Cameron | 82.5  |
| Hidalgo | 107.2 |
| Willacy | 127.6 |

The only other counties in Texas with infant mortality rates higher than the lowest of the above are Brewster (86.4); Dimmit (93.0); Maverick (83.1); and Reeves (96.3). All of these counties are on the Mexican border or immediately adjacent except Reeves which is in Pecos Valley, lying in the narrow strip of Texas between Mexico and New Mexico.

New Mexico and Arizona both have high rates of infant mortality, 70.1 and 56.4 respectively, but the infant death problem in these areas is associated with large Indian populations rather than with Mexican-American people or with wetback traffic. In California, the State-wide infant mortality rate is 28.6 but the rate of 56.2 for the Imperial Valley is almost double.

Dysentery, diarrhea, and enteritis loom disproportionately large in the picture of infant deaths. These are the diseases of filth and insanitation. In California, the State-wide average infant death rate from diarrhea, enteritis, and dysentery is 1.8; for Imperial County, it is 12.9. In both Texas and California an overwhelming proportion of infant deaths from these causes is known to be in families of Mexican origin.

Why, it has been shown by this same Commission on Migratory Labor that



some of these illegals have come in and are possessed with all manner and kinds of narcotics because there has been no examination at the border. It has been found that some of those who have come in have violated our internal security laws. Some were possessed of communistic literature. Now, it is to stop those kinds of practices, against which you and I must inveigh; that we ask for this provision so that the constituted authorities, the Health Service, the Immigration Service, the Customs Service, can have a look at these aliens as they enter. Unless these various departments can inspect these aliens at the border, our laws are easily violated. Our health, our security, our well being are involved.

Mr. LYLE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. LYLE. I want to call attention to the fact that you have, in one block in New York City, more trouble with Communists than we have all over the Southwest. That is not a very strong argument, because most of these poor, illiterate, hungry Mexicans only want to work a few days and get some food and go back and feed their families and themselves. That is the big problem.

Mr. CELLER. You take care of your State. I will take care of mine. But of course, I did not mean to talk about Texas in particular. This bill is applicable all over the country. We have many seamen who desert their ships and lose themselves in the population of New York. Only last week I read in the public prints of several hundred deserted seamen who had been rounded up, and this bill will be applicable not only to the so-called wet-backs, but illegals all over the country that seek to enter our shores without satisfying the requirements of law. Those who come in illegally through the southern border, as was indicated, find their way up to the New York sweat shops; they find their way up to Michigan and all parts of the country. All sections of our land are affected and must be alerted to the dangers threatening. Thus not only Texas or California farmers are involved. It is not only there interests that are affected.

I appeal to the ladies and gentlemen from all States that this problem is going to become increasingly difficult unless we take steps now to stop this illegal traffic.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Mexico.

Mr. FERNANDEZ. I think this bill is a very effective one, quite strong, but a good bill. May I ask the gentleman this question: A minute ago he said that the report of the President's Commission stated these Mexicans came over to work, peddling narcotics. I wish the gentleman would advise me where I can find that in the report.

Mr. CELLER. I will be glad to get the gentleman the report.

Mr. FERNANDEZ. I have the report but I have not been able to find anything like that.

Mr. CELLER. The information relative to narcotics is given before the Ap-

propriations Subcommittee considering the appropriations for the Narcotics Division of the Treasury.

Mr. FERNANDEZ. If the gentleman will yield further for an observation, as I said, this is a good bill and I will vote for it, but I do not think it is necessary in order to pass this bill to excoriate here on the floor those poor Mexican workers and their families and the farmers who employ them.

Mr. CELLER. No, I do not mean to excoriate any Mexican workers. I said at the inception of my remarks that it is essential to bring these laborers in so that the crops may be harvested. I do not wish to center an attack on anybody except the smuggler and the man who tries to make money out of the misery of some of these workers. That is what I want to get after. Certainly we do not want to get after the good people. It is the bad at whom we aim our shafts.

Mr. LYLE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. LYLE. We are not fighting the bill the gentleman sponsors. As far as I know, no one here is. We were trying to show that the problem is such that this approach can do very little to help solve it. It is a much bigger problem than simply to say that you have a fellow here and there.

Mr. CELLER. The gentleman is a very valuable member of this body. We always welcomed his suggestions. We would have embraced wholeheartedly any suggestion that he had that might have been better than the one offered. We held extended hearings.

Mr. LYLE. I am sorry the Committee on the Judiciary refused to permit me, a Member of Congress, to come before it to discuss this bill.

Mr. CELLER. I have no recollection of that refusal. I certainly have the greatest respect for the gentleman from Texas.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Pennsylvania.

Mr. WALTER. The hearings on the omnibus bill, the Code, which contains this same language, were held over a period of 9 months. During that time we heard anybody, whether or not a Member of Congress, who wanted to make a statement on any of the provisions of the Code.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. MAHON. Personally, I am opposed to the illegal entry of aliens into this country. We do have an agricultural labor problem in Texas and we need large quantities of legal labor from Mexico. Of course, insofar as possible, we would like to have the assistance of Mexican labor which has entered this country legally.

One provision of the bill which disturbs me is shown on page 3, beginning with line 22, the language as to administrative search warrants. I am afraid this sort of thing might be used to more or less frighten away legal Mexican labor

that might be in this country. Some of these people do not speak our language. They do not understand all the problems involved. The farmer often finds it difficult to maintain stability when the labor in his area is being more or less harassed by Government agents. Would it not be suitable to have an amendment to this bill providing that searches should be made only on the basis of search warrants issued by a magistrate? That would give us a little better protection and be completely defensible, it seems to me. I believe the gentleman would think so too.

Mr. CELLER. Do you mean a magistrate appointed by some State authority?

Mr. MAHON. It could be a Federal magistrate.

Mr. CELLER. Does the gentleman mean by a Federal magistrate?

Mr. MAHON. Some judge would issue a search warrant rather than this administrative warrant.

Mr. CELLER. The committee very carefully considered the suggestion that the search warrant only be issued by a United States district judge, but in many States, and this bill is applicable throughout the country, there is only one United States district judge. He may be very far away. Time often is of the essence, and for that reason we have adhered to the practice of allowing the officer designated in this bill to issue the warrant. There is nothing new in that. We have at present a provision in our immigration law permitting the Attorney General to issue a warrant of deportation.

I want to say this to the gentleman—I do not see why he has anything to fear, because if you read on page 3, lines 1 to 4, you will find that anybody can employ and can enter into an employment arrangement without running afoul of the law. For the purposes of this section, employment including the usual and normal practices incident to employment shall not be deemed to constitute "harboring." That seems to be a pretty good saving clause so that farmers need not worry, and representatives of farmers need not worry. If the farmer employs and does that only, he is not deliberately harboring or concealing for an illegal purpose, and he need not worry about it.

Mr. MAHON. I agree with the gentleman that no one should harbor aliens who are illegally in the country, and the provision which the gentleman has cited, as to the farmer being exempt from blame, it seems to me, is a good provision. My point was that agents without search warrants issued by a judge, might in their overzealousness have a tendency to disturb the labor in an area, and therefore might deprive the farmers of the labor. It would not prove that the farmer is guilty of any violation, but it would disturb the labor, and after all what the farmer wants is the labor. Without a modification of the bill, it would be difficult for some of us to support it, though we approve many of the provisions.

Mr. CELLER. That is a calculated risk. We cannot have iron-clad perfect legislation. I do not think the gentle-



man need worry about the provisions of this bill in that regard.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. JONES of Missouri. The gentleman has said that there is only one district judge in the district, and that he might be several miles away. There is a court of record in every one of those communities to which they could go.

Mr. CELLER. I said some States have only one Federal judge and he might be far away when the warrant is needed. But do you mean where they could go to a State judge?

Mr. JONES of Missouri. To a State court and get a search warrant. Yes; any court of record could issue that warrant.

Mr. CELLER. The rules of criminal procedure do permit a search warrant to be issued by a United States judge or a State court of record judge or a United States commissioner. But I wonder whether you want a State court judge to intervene in a case of this sort.

Mr. JONES of Missouri. May I ask the gentleman this question: Under what circumstances and in what cases do they have these administrative warrants issued?

Mr. CELLER. The immigration law, as at present permits the Attorney General to issue warrants of deportation. Section 19 of the act of 1917, as amended, empowers the Attorney General to issue a warrant without intervention of the court.

Mr. PICKETT. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. PICKETT. In connection with the statement which the gentleman made a moment ago that it would be very unusual to permit a State judge or a court of record of the State to exercise jurisdiction in a Federal matter, let me direct your attention to the fact that the law now provides for it in the general search warrant statute, and under the rules, that a State judge or a State court of record may issue the warrant.

Mr. CELLER. The gentleman is correct but in a highly sensitive area, and on a subject of this kind, I question whether a State judge should issue a warrant.

Mr. PICKETT. But, it is a matter of questioning his judgment or whether he should do it, rather than the fact that that power does not now exist as a matter of law in proper cases where search warrants may issue in the first instance, is that not correct?

Mr. CELLER. I think to allow a State judge to become involved in a matter of this sort might create a great deal of confusion. However, it might be well to canvass the matter further. I do not wish to be arbitrary.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. FISHER. Will the gentleman indicate for the RECORD under what constitutional authority, subsection C, on page 2, is proposed?

Mr. CELLER. That is a very good question. I will say that the "right of castle" is preserved. A home, a dwelling cannot be searched without a warrant. You will note that no right is given to anybody connected with the Immigration and Naturalization Service to make any search in a dwelling or a habitation or a house where one lives. The immigration inspector with warrant has a right to go on a ranch—sometimes those ranches are as large as a State—and make search. So that it cannot be stated under this bill, that where you have a huge ranch, miles and miles in extent, that the Immigration Service official cannot go on that land and make a search because one's home is invaded. You would render the bill abortive if you did not have a provision of this sort. There have been reported cases where in large areas—fenced in or otherwise—on ranches of huge extent the inspectors were barred. The ranch on which the owner lived was deemed a "dwelling" or "home", and thus large and extensive as it was it was impervious to search. To call a ranch of huge dimensions a "dwelling" is absurd. It has been held that these huge ranches are like a "man's castle." He cannot live in all the places that might be deemed houses, or habitations, on the ranch or plantation, yet he has been protected from search; and there have been many instances where these "illegals" have been concealed and harbored on these huge ranches and large farms, and the immigration authorities were just helpless. They could not even go into the gate. The minute they entered the gate it was deemed that they were violating the "right of castle" of the ranch owner.

Mr. FISHER. I know the gentleman is quite an authority on that, and I am sure he has been there and knows all about it, but perhaps the gentleman got that information from the report he has been reading. But wherever he got it, I suggest that he dig a little further on his facts. What article in the Constitution do you rely upon as authority for subsection C, the administrative search warrant provision?

Mr. CELLER. There is nothing in the Constitution which prevents this. There is nothing which will proscribe it.

Mr. FISHER. Is there anything in the Constitution referring to searches and seizures; and if so, where is it?

Mr. CELLER. The Congress has a right to pass all laws reasonable and necessary to enforce statutes it passes. Under that provision we have a right to provide for search and seizure.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. CELLER. Mr. Chairman, I yield myself two additional minutes.

Mr. FISHER. Will the gentleman yield again?

Mr. CELLER. I yield.

Mr. FISHER. The gentleman said because you are not, under the Constitution, allowed to enter a man's castle, therefore you do not have general rights to serve search warrants.

Mr. CELLER. That is, a man's home is impervious to search, without a search warrant.

Mr. FISHER. What article in the Constitution contains that provision?

Mr. CELLER. I gave you the reasoning a moment ago; that Congress has the right to pass all necessary laws to implement general statutes for the enforcement of those statutes.

Mr. FISHER. Will the gentleman yield to his colleague from Pennsylvania who seems to have that information? I would like to know the provision in the Constitution that you are undertaking to base this on.

Mr. CELLER. I just gave you the answer.

Mr. WALTER. As a matter of interpretation of the Constitution, the only thing in it with respect to this matter is a prohibition against searches and seizures.

Mr. FISHER. Unreasonable searches and seizures.

Mr. WALTER. Unreasonable searches and seizures. We felt that by using the word "dwelling," preventing the issuance of a search warrant of a dwelling, it covers not only the place of residence of the owner of the ranch but it covers a rooming house or a boarding house or any other habitation in which these employees for the moment might be harbored.

Mr. FISHER. In other words, it is the fourth amendment to the Constitution which is the authority for the issuance of search warrants, and it is under that provision that this subsection C is inserted in the bill. Is that correct?

Mr. WALTER. The gentleman has not quite stated it correctly.

Mr. CELLER. That is not the situation. The Constitution proscribes certain searches and seizures. They cannot be unreasonable. There can be no search of a home without warrant. But that is not the basis for our putting this provision in the act. We have general authority over immigration and naturalization, and we must provide for the enforcement of laws we pass appertaining thereto. This is one of the enforcement provisions. We might pass general criminal laws, but if we do not implement those laws by provisions involving sanctions, we get nowhere.

Mr. FISHER. I think I understand the gentleman. His position is that he does not have to look to the authority for search and seizure under the Constitution but in cases where immigration matters are involved he does not need constitutional authority.

Mr. CELLER. No; the gentleman twists and looks upon what I have said with a jaundiced eye. I did not say that. The gentleman asked for it; he is going to get it; I did not say anything of the sort that he implies. I believe that this provision is entirely constitutional, because the Congress has the right to pass laws of this character to carry out and implement the general authority we have over immigration and naturalization. That is all that is



involved here. We do not go beyond our legal authority, because we do not provide for unreasonable search and seizure.

Mr. FISHER. That is the understanding I had of the gentleman's interpretation.

Mr. CELLER. The power of Congress to legislate on immigration stems from the sovereign authority of the United States as a Nation; it also stems from the constitutional power to regulate migration of people, also from the power under the Constitution to regulate commerce with foreign nations. Every sovereign nation has power, inherent in sovereignty and essential to self-preservation, to forbid entrance of foreigners within its dominions, or to admit them only in such cases and upon such conditions as it may see fit to prescribe. Congress may exclude aliens altogether or prescribe terms and conditions upon which they may come into or remain in this country.

The power and authority of the United States, as an attribute of sovereignty, either to prohibit or regulate immigration of aliens are plenary and Congress may choose such agencies as it pleases to carry out whatever policy or rule of exclusion it may adopt, and, so long as such agencies do not transcend limits of authority or abuse discretion reposed in them, their judgment is not open to challenge or review by courts.

It has been settled by repeated decision, that Congress has power to exclude any and all aliens from the United States, to prescribe the terms and conditions on which they may come in or on which they remain after having been admitted, to establish the regulations for deporting such aliens as have entered in violation of law or who are here in violation of law, and to commit the enforcing of such laws and regulations to executive officers.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRAHAM. Mr. Chairman, we still have no requests for time on this side but I do not wish to relinquish my time until opportunity has been given the other side fully to develop their case.

Mr. JENKINS. I would like a couple of minutes if the gentleman does not mind.

Mr. CELLER. We have no further requests for time.

Mr. GRAHAM. I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. It is not my purpose to take up very much time, but I would like to see if we can clarify this matter just a little. Ever since the adoption of the general immigration laws back in the twenties the problem of the wetbacks coming into this country has been a very serious one, but it has not been one that involved much or serious criminality. But I am sure that if it were not for the fact that we did not want to impose a quota on Canada we would have imposed a quota on Mexico and some of the other Western Hemisphere countries. Those who were responsible for the drafting of the restrictions on to the immigration

laws did not want to impose quotas in the Western Hemisphere, especially because of our friendly relationship with Canada. Now, coming to the point, as I understand, one of the purposes of the bill is to provide a penalty for the unlawful harboring of aliens. That will apply up and down both the Atlantic and the Pacific coasts and the inland borders between Canada and Mexico, and every other place. I am a little surprised that it has been overlooked for such a long time. I think the oversight should be corrected and this law be made to apply along the east coast especially where so many persons enter illegally from Europe. These people coming from Mexico are a different kind of aliens. They have in the past been absorbed into our body politic by the farmers of the Southwest. They have been encouraged to come to our country because they filled the need of the farmers and they then took jobs with the railroads of the country and lost themselves into our citizenship.

Now I should like to ask the gentleman from Pennsylvania, Judge GRAHAM, if it is not the purpose of this bill to provide this penalty against that illegal harboring and also to try and solve the problem of the entry of those who may come to assist the farmers in the South; is that right?

Mr. GRAHAM. No, not the farmer; there is no indictment against the farmer.

This bill is perfectly simple. It is to apply to all our borders and applies against every type of person who has the intent of concealing or harboring aliens. If he had such intent then he would be guilty, but under the present law if he left off at some point and some other person harbored him then it is a different situation altogether.

Mr. JENKINS. These Members of Congress from the South and the deep South especially have for years been interested in this same proposition. They want help with their farm work. The story is always the same, and it has a great deal of merit to it. But the trouble is that the men who come in one year to help the farmers fail to go back but instead they become active residents in our country and enjoy the privileges of citizenship when many of them could not qualify as citizens.

Let me ask this: What have the immigration authorities and the enforcement officers said before the gentleman's committee? Are they in favor of this bill or not?

Mr. GRAHAM. Yes; they are. May I explain further that in the omnibus immigration bill, to which reference has been made, this whole situation is taken care of. At the present time this agreement between the Mexican Government and the United States Government will be continued for 90 days from February 11. But the new law when passed will not take effect for 6 months after its enactment, and this interim period must be covered by this legislation.

Mr. JENKINS. Then as I understand what we are trying to do here today is not to continue the program but to

bridge the matter over the end of the 90-day period and the beginning of the taking effect of the omnibus law.

Mr. GRAHAM. That is right.

Mr. JENKINS. Then at the end of 90 days we are going to do just what we have been doing; the time has expired, and we are going to lengthen, as it were, the law that we passed last year.

Mr. GRAHAM. And it is reenacted in the omnibus bill and made permanent.

Mr. JENKINS. When we come to the omnibus bill, which I understand is very important, I hope we may be allowed sufficient time in which to consider it fully. I understand it has taken a great deal of the time of the gentleman's committee.

Mr. GRAHAM. Correct. We have worked over it for months and months.

Mr. JENKINS. I hope when we come to consider this omnibus bill that you talk about that it will be consistent with the well recognized immigration policy of the country which we established about 30 years ago and that it will protect our own country from many undesirable that have been flocking into our country from all parts of the world. It might be interesting to say that the United States of America was the first country that ever declared to the world the proposition that as an incident of sovereignty every nation had the right to protect its own border. That is the basis of our immigration laws. We have that right and we have always defended it well as far as the purposes of Congress were concerned. The enforcement of the immigration laws was very rigid until Mr. Roosevelt was elected President. He permitted much laxity with the result that there are at least 3,000,000 aliens illegally within our borders now. I hope the new big omnibus bill will be an important step forward and in the right direction.

Mr. GRAHAM. I so hope.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GRAHAM. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. WERDEL].

Mr. WERDEL. Mr. Chairman, I desire to ask the chairman of the Judiciary Committee a question or two. I have been trying to get the exact figures on the number of native-born Mexicans in my State. That is, people of Mexican descent. I know it runs into the tens of thousands.

I agree with the gentleman that we should take some action in regard to harboring illegal aliens; however, if this bill is passed, I want to know from the chairman of the committee, and would like a direct answer, in regard to the language on page 2 which says that the consignee or person taking such action knowing that the individual that he takes the action for "is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry in to the United States occurred less than 3 years prior thereto."

I ask the gentleman so that the Record may be clear in interpretation of our intent whether the gentleman believes the



mere fact that an individual can only speak the Spanish language will be interpreted or should be interpreted to be reasonable grounds for believing?

Mr. CELLER. I think that matter will be covered when we get the omnibus bill before the House. There is a provision in there providing, for example, that those Mexicans who are in the United States temporarily for purposes of labor will have an identification card with a picture on it and other marks of identification so that the person who is dealing with that individual could absolve himself from any violation of law by saying that this man had an identification card, "I looked at the card, the picture was identical with the individual before me and therefore I had a right to assume he was in the country legally."

Mr. WERDEL. If the gentleman will permit, I still want a direct answer to the question before this bill is passed. What the gentleman has told me is that people who are the third or fourth generation in my State, numbering 70,000 or 80,000, if we will assume that, are going to have to carry cards around, and if anyone who wants to employ them does not ask for such card will have reasonable ground to believe, and having a reasonable ground to believe will thereby be guilty of a felony, when the person who is an illegal entrant is only guilty of a misdemeanor?

I am pointing out to the gentleman that we are putting language in this bill that is going to make it inadvisable for employers to employ 70,000 or 80,000 Mexicans who speak the Spanish language only, and perhaps Chinese and many others who speak only one language. I think we should require actual knowledge of illegal entry.

Mr. GRAHAM. The burden will be on the Government to prove it, though.

Mr. WERDEL. Of course, that is the question in my mind. This is a crime and the United States Government should be enforcing the law against this crime. This is an attempt here for some purpose other than the enforcement of a law against a crime, in my opinion.

Mr. CELLER. Does this not indicate that the Government will have a rather heavy burden to carry in order to get a conviction? The Government must show that the man had knowledge or had reasonable ground to believe that the last entry into the United States occurred 3 years prior thereto.

Mr. WERDEL. No. I think if the gentleman will permit me, you and I agree in principle that if a man knowingly is harboring an illegal alien he should be convicted. I think that if he has that knowledge he should be convicted. I think any sound American picked on a jury would so agree. Now I think it is a different thing though to say in the bill that someone can come into your place of business or your ranch and say, "This man cannot even speak English. Do not tell me you do not have reasonable grounds. You come into court. You are charged with a felony. It will cost you \$25,000 to defend yourself."

Mr. LYLE. Mr. Chairman, if the gentleman will yield, in connection with

this discussion I want to call your attention to the tragedy that would occur in the southwestern part of the United States if you attempted to brand decent, fine, good American people whose ancestry is of the Mexican or the Latin descent. You could not possibly set up a system to carry cards to identify yourself. These boys have been dying for America since the Alamo. They are very fine people; they are great American citizens. I went to Mexico recently on an official trip to speak before a Mexican Chamber of Commerce across the border, and several fine American-Latin lads accompanied me there. As we came back across the border the immigration officers said, "Where were you born?" There were five or six of us in the car and I said, "I was born in Wise County, Tex." One said, "I was born in Guerra, Tex." They did not question me further, but they turned to a nice little lad sitting by me and they said, "Let me see your identification." He said, "I have no identification; I am an American. I was born in America. I have lived in America all of my life. How shall I identify myself, simply because my skin is a little darker than yours, because I speak Spanish fluently?" He, fortunately, speaks English better than most of us. It would be most unfortunate if any type of legislation put a brand upon millions of people that are as fine American citizens as exist in this Chamber or anywhere else.

Mr. GRAHAM. Mr. Chairman, if the gentleman will yield, as a matter of fact, from Windsor, Canada, coming across the border, thousands of persons come in each day and exhibit a card, and that is all there is to it.

Mr. LYLE. Yes, but they are not Americans.

Mr. GRAHAM. There are Americans going back.

Mr. LYLE. Americans going back?

Mr. GRAHAM. Coming and going. They exhibit a card.

Mr. LYLE. As a national of the country in which they live. I do not carry a card which says, "I am an American." The gentleman from New Mexico [Mr. FERNANDEZ] does not carry a card which says, "I am an American."

Mr. GRAHAM. But the gentleman is not crossing the border every day.

Mr. LYLE. But I cross it often. Suppose they said to the gentleman from New Mexico, "If it will not embarrass you, sir, where were you born?" He would say, "New Mexico." They would say, "Prove it."

Mr. FERNANDEZ. Mr. Chairman, if the gentleman will yield, I think there is a slight misunderstanding here. The gentleman on the other side of the aisle is talking about one type of card, that which might be required of legal entrants. The gentleman on this side of the aisle mentioned a card that might be had which would show, if I understood, that you were an American citizen. That kind of card I would oppose. Of course, that is not in this bill.

The reason I asked the gentleman to yield was that I would like to ask a question of the gentleman from California. What he is worried about is that provi-

sion with respect to reasonable cause to believe that a person is an illegal entrant recently come to the United States, and he is wondering whether or not the fact that a person does not speak Spanish would be considered as reasonable grounds to believe that he was such an illegal alien coming into the United States within 3 years. My answer would be no, because there are hundreds and hundreds and hundreds of American citizens of Spanish descent who cannot speak English, and therefore no court would hold that the mere fact that a person does not speak English and speaks only Spanish would be reasonable grounds to make him believe and to charge him with notice that the person in question was not an American citizen. So you do not have to worry about that part of it.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from New York.

Mr. CELLER. Further amplifying what the gentleman from New Mexico has said, subsection 2 on page 2 is two-edged in this sense, that the Government must prove, in order to establish the existence of a crime, one, that the person accused knew that the particular wetback or illegal alien was in the United States in violation of law, and second, that he knew or had reasonable ground to believe that the last entry of that illegal alien into the United States occurred less than 3 years prior thereto. There are two conditions, two humps that the Government must get over before it can establish the commission of any crime.

Mr. GRAHAM. There are three. The last one is that he transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law.

Mr. CELLER. Correct. I think that gives ample protection to the innocent person.

Mr. WERDEL. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from California.

Mr. WERDEL. I take it then that the gentleman's direct answer to the question is that before a person can be charged with a crime under subsection 2 he must have actual knowledge of these other things in conjunction with actual knowledge that the person is an illegal alien?

Mr. CELLER. That is correct.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from California.

Mr. PHILLIPS. If I may have the attention of the gentleman from New Mexico [Mr. FERNANDEZ], may I ask him as one who lives very close to this situation what he thinks the population is in the area affected by the bill, the people who came over the line many years ago who still speak Spanish, who came over into the United States in the days when there was no particular deterrent to entry? Spanish-speaking people lived in our area long before English-speaking people



got there. There are a great many people of Mexican descent speaking the Spanish language who have married American-born Spanish-speaking girls and who have raised families and yet, technically, under a bill of this kind, they could be illegal residents. The people in the East do not always understand the difficulties involved in a bill like that. I ask the gentleman from New Mexico if that would not be a great difficulty in the enforcement of any bill of this kind in the area about which we are talking.

Mr. FERNANDEZ. Of course, particularly in New Mexico, Texas, and California, there are thousands and thousands of Spanish-speaking people, some of whom have been here for two or three generations, but because they live way up in the mountains where English is not spoken they do not speak English. But I think this bill is all right. I believe there are sufficient safeguards so that no hardship would indirectly result to such American citizens. This is not like the one we had before, where you could not employ a person unless you knew he was not an illegal alien. This bill permits employment of those persons under the provision about which we have been speaking in the last few minutes. As to those who are transporting them, I am not too worried about them. The only thing I am worried about is any provision that would prohibit the employment of these people, and thereby indirectly also make it impossible for American citizens of Spanish descent.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from New York.

Mr. CELLER. The gentleman is satisfied with the provision we have in there which permits employment?

Mr. FERNANDEZ. Yes; I am satisfied with the bill. As I said, I think everybody is agreed that this is a pretty fair bill, though, of course, it could be improved.

Mr. GRAHAM. May I inquire if any gentlemen from Texas would like to be heard at this time?

Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. FISHER].

Mr. CELLER. Mr. Chairman, I also yield 5 minutes to the gentleman from Texas.

Mr. FISHER. Mr. Chairman, I appreciate the time that is so generously given me by the chairman and the ranking member of the Committee on the Judiciary.

I questioned the chairman of the committee a few minutes ago about one provision in this bill that has nothing to do with the correction of the so-called Evans decision, and that was the constitutional authority under which subsection 3, which authorizes and provides for administrative search warrants, was inserted in the measure. I undertook in my questions to find out under what constitutional authority that was done, and I have yet to find out.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. FISHER. I yield.

Mr. WALTER. What prohibition is in the constitution against the Congress

of the United States writing adequate provisions to carry out its intention; and in the absence of any prohibition, as a matter of construction, the courts must find that the Congress had the authority and the power to do that which was done. I would like to ask the gentleman from Texas where the prohibition is against doing what the Committee on the Judiciary proposes.

Mr. FISHER. If the gentleman is looking for a limitation of his authority, of course, I think the entire Congress is supposed to operate within the framework of the Constitution, and not on the basis of what might be specifically prohibited there. But, for that matter, the fourth amendment to the Constitution, if the gentleman will read it again, I think expressly prohibits the very thing that he undertakes to do in subsection 3, and I think if he would read that, then he would agree that there is plenty of authority for objecting to the alleged authority which he has been asserting as a justification for the bill.

Mr. WALTER. On page 5 of the report accompanying the omnibus bill and, of course, it is applicable, are cited 37 cases upholding the right of the Congress to do what we are proposing to do here.

Mr. FISHER. I suggest to the gentleman that there are a good many Supreme Court decisions which I have had occasion to read in the last few days which he might do well to take a look at before he falls into the error, which I think he has fallen into.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. FISHER. I yield.

Mr. MORRIS. I am very much interested in this discussion. I am not certain that this provision in subsection C would come within the purview of article 4 of the amendments to the Constitution. I am not certain, and I am trying to find out if it does fall within it. If so, then I think the gentleman's position is eminently correct. I would like to read it. It is very short. I would like to read it so that we might examine it. Here is what article 4 says:

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Now here is what the bill says:

When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant—

And so forth. In other words, it says that he may issue it upon information indicating a reasonable probability, and so forth. It would not seem to me to be within the four corners of the provisions of the Constitution. One further thought, if I may express it. I have had some experience, as a great many other Members have, as a lawyer, a judge, and

so on. Ordinarily, a warrant is issued by a judicial officer after someone comes in and makes a case, that is, a reasonable showing, for the issuance of the warrant under oath.

Mr. FISHER. I thank the gentleman for his contribution. The gentleman has caught the vice of this provision very correctly, in my judgment.

Mr. MORRIS. I am not sure, but I do want to raise that question.

Mr. FISHER. The gentleman raises a question which is very pertinent to this inquiry, and I am sure it will be gone into further. The gentleman from Oklahoma is an eminent attorney, and I am sure that he agrees with me that the only authority for search warrants under the Constitution is the fourth amendment to the Constitution. Is that not correct?

Mr. MORRIS. I am a little perturbed. I always thought that.

Mr. FISHER. I am wondering if we are not learning something new about the Constitution today.

Mr. MORRIS. The way it reads is this:

The right of the people to be secure in their persons, houses, papers, and effects—

This bill says "land," and the question is whether or not it is broad enough to include land. I rather think so although I am not certain.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FISHER. I yield.

Mr. CELLER. On the question of the powers of Congress, the Constitution provides as follows: In article I, section 1:

All legislative powers herein granted shall be vested in the Congress of the United States.

That is one provision. Then the Constitution goes on to say:

Congress shall have the power to regulate commerce with foreign nations.

This bill refers to arrangements made with Mexico.

Congress shall have the right to establish uniform rules of naturalization.

Congress shall have the power concerning immigration or importation of persons.

Then there is a basket clause which provides as follows:

Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or any department or office thereof.

That is an affirmative delegation of power by the Constitution to this House and the other body to pass a bill of this kind.

Mr. FISHER. I thank the gentleman. Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. FISHER. I yield to the gentleman from Pennsylvania.

Mr. GRAHAM. One applies to search and seizure in homes. The other is the exclusion of those which this Nation does not desire to have entered.

Mr. FISHER. I think the gentleman will agree with me that the protection of the citizen of the United States against unreasonable searches and seiz-



ures is provided in the fourth amendment to the Constitution. So therefore, anything which we write in this bill which authorizes an unreasonable search or seizure is running counter to the fourth amendment to the Constitution and cannot be upheld on constitutional grounds. It is a question of whether you are getting into the field of unreasonable searches and seizures, whether it is immigration or narcotics or anything else. If it does, then it runs counter to the Constitution and the conditions laid down under which warrants for searches and seizures can be issued, as contained in the fourth amendment to the Constitution.

Mr. CELLER. I believe there is a ranch in one of the States, I think it is Texas, that is 100 miles long on one side and 100 miles long on the other side. Would you say that the authorities should not have the right to enter that ranch at all?

Mr. FISHER. Apparently the gentleman is completely in error in his estimation of our attitude on this question. Of course, they should have a right to go in there to search for narcotics or anything else. Let them get a legal search warrant. In that case, I feel like the father of the Republic of Texas, Sam Houston, who when asked to circumvent the Constitution said: "We are not going to do that. If Texas is going to Hades, let us do it according to law." That is what we want here. If they are going to search, let them do it according to law and the Constitution.

There will be amendments offered to make this conform to the Constitution. Let them go to a magistrate and get that warrant, and let them go out and search for those violations of the law. If they are going to search, let them search for it, but do it in the manner provided by the Constitution.

Mr. Chairman, it is a rare thing that one subject ever generates so much misinformation and so much false information as has the so-called wetback problem. To those of us who live along the Mexican border and who know the situation fairly well, many of the fantastic and distorted stories about the extent of the wetback traffic, of alleged "exploitation," and so forth are simply monstrous jokes. We have heard some of them recounted here today.

At the same time, I recognize that in our fight against subversive aliens it is proper that some law be enacted against those who conspire to bring such illegal aliens into this country.

But the bill before us today deals primarily with the wetbacks. There are very few, if any, subversives among them. If there were, they would not be found working on farms and ranches. That is the last place you would find them.

It is true, I am sure, that a number of Mexican nationals come across the border from Mexico from time to time for the purpose of seeking employment. They have been doing it for generations. Their living standards in Mexico are low and most of them have families to feed. They cannot find work in Mexico, so some of them wade the Rio Grande, become lost in the vast numbers of Latin Ameri-

cans on this side of the river, and go to farms and ranches to seek employment.

There being an acute shortage of workers on this side, those people are often able to find jobs. They get good wages, sleep on good beds, eat good food, and within a few months are able to accumulate several hundred dollars which they send or take back to their relatives in Mexico. They do not remain in this country very long, and invariably return home periodically.

These people do not replace any American workers. They do not upset our economy in any way whatsoever. Indeed, they contribute considerably to our economy because they enable crops to be harvested that would otherwise go to waste. They aid ranchmen in producing sheep, cattle, Angora goats, mohair, and wool. This helps to feed and clothe the Nation.

#### OBJECTION TO USE OF MEXICAN WORKERS COMES MOSTLY FROM LABOR UNIONS

So far as I have been able to determine, most of the objections to the use of Mexican labor on this side of the border to meet the extreme acute labor shortage, is coming from the radical element of our labor unions. The reason for this is difficult to understand. There are some who say these people oppose the use of this imported labor because the unions want to organize all farm and ranch workers eventually, and they find the aliens are not so easy to organize. This radical crowd would much rather see food rot in the fields than have unorganized foreign labor help harvest it, even though there is no domestic labor available. Yet that same crowd is forever howling about the high cost of living.

Mr. Chairman, so far as I know, all farmers and all ranchmen want to employ processed Mexican nationals—those who are able to enter legally under the terms of the labor agreement with Mexico. Every farm and livestock organization in the country has urged a workable agreement which would enable producers to go to processing centers and contract for those workers. Under the law no foreign worker can be employed in a community unless and until the Secretary of Agriculture certifies that there is inadequate local labor there to meet the needs.

But unfortunately the agreement with Mexico which has been in existence since last summer has been so burdened with restrictions and red tape, that it has been an invitation to wetbacks to come across illegally. I know one man—and I can give you his name and address if you want it—who traveled more than 3,000 miles in a desperate attempt to process some Mexican workers to help him on his farm and in his lamb feeding operations. He could not hire a man locally at any price, and he was desperate. But although he made trip after trip to processing centers, the last account I had he had not obtained a single worker.

The average wetback would naturally prefer to be processed if he can be. He knows that he is violating an American law and may be imprisoned if he wades

across as a wetback. But he knows that he will be violating no law if he comes across legally through a processing station. So, of course, he prefers to be processed. And the employer naturally prefers that he be processed.

Moreover, the abuse of "blacklisting" counties and individuals has made legal employment difficult in some instances and has had the effect of encouraging more wetbacks to come across.

#### RANCH WORK WAS EXCLUDED

Mr. Chairman, this whole problem seems to have gotten into the hands of the labor politicians. This has been true in Mexico and to a considerable extent in this country the voice of labor agitators has gotten into the act. It has been difficult and sometimes impossible for employers, desperate for labor, to employ a Mexican national, legally. Let me give you an example:

When the last labor agreement was made with Mexico, to the surprise of all concerned it was learned that the agreement expressly prohibited any of the processed workers from doing any type of ranch work while working in this country.

Yet, the Nation's principal breeding place for sheep and Angora goats is along the border, north of the Rio Grande. And it is a great cattle producing area. There are also large farming operations in the same area. But, strangely enough, the labor agreement last summer expressly prohibited any of the processed Mexicans from doing any kind of ranch work. That was at a time when the most acute labor shortage in history existed in that area. A severe drought was going on, vast feeding operations were necessary, and the Government was calling for higher food and fiber production.

The exclusion of ranch work from the agreement meant that thousands of Mexican nationals on the other side of the border, accustomed only to ranch work, were out of luck. They could no longer be processed to do ranch work. And the employers on this side who needed them were out of luck. I assume the Immigration Service is correct in saying some of the workers waded the river and sought employment on this side.

So, Mr. Chairman, if there has been a wetback problem during the past year, let us put the major part of the blame where it belongs—on the agreement with Mexico that no Mexican national could be processed and then do any type of ranch work.

About the same time the Mexicans were being forced to wade the river to seek work, because they could no longer come across legally and do ranch work, the Immigration Service was on Capitol Hill pleading for more funds to employ more patrolmen to help stop wetbacks from coming across.

I must point out, Mr. Chairman, that after months of effort, we were able to get some relief. Through the efforts of Mr. Don Laren, in the Labor Department, and Dick Rubottom and Jack Neal, in the State Department, the Mex-



ican Government finally in late November agreed to vary the terms of the labor agreement and allow their nationals who were processed, to do ranch work. Those gentlemen have been most helpful. But this concession was made months after the agreement was made in Mexico City. And the concession has been weighted with conditions and restrictions, even requiring a different wage arrangement than has been true with farm work.

We do not know what the next agreement with Mexico will contain in that regard. We do not know if ranch work will be included or not. We are hopeful such work will be permitted, and we have been given some assurances. Certainly, it can be said that a major portions of the wetbacks who came into this country during the past year came here illegally simply because under the labor agreement it was difficult or impossible to be processed.

**WETBACK BILL AS WRITTEN WOULD INFRINGE UPON CONSTITUTIONAL RIGHTS**

Mr. Chairman, the pending measure is brought here under circumstances which call for the most careful scrutiny. Now that I have been given additional time, I want to discuss another point or two. In the first place, this bill is not the product of a congressional committee in the usual sense. It was inspired and most of its contents written down at the other end of Pennsylvania Avenue, and according to the press the President of the Republic of Mexico also had a hand in its contents. No hearings were held even though many of us requested permission to be heard.

Therefore, while the bill contains some desirable provisions to which very few if any would object, it contains a few very serious infringements upon constitutional rights which I cannot believe this House will be a party to.

Let me discuss two of the objectionable provisions for a moment. First, I refer to subsection (c) which reads as follows:

(c) When the Attorney General or any district director or assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than 30 days.

Mr. Chairman, this provision should be stricken from this bill or amended so as to conform to the Constitution. It violates article IV with respect to the purposes for which search warrants may be issued. It is clear that the proposal would constitute an infringement upon the protection of the citizen against unreasonable searches and seizures.

Let us examine article IV, which forms the authority for the issuance of search warrants, and then see how well it conforms to the Constitution.

Article IV is as follows:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**SEARCH WARRANTS NOT ISSUABLE FOR FISHING EXPEDITIONS**

The Constitution does not authorize search warrants for fishing expeditions. It does not authorize search warrants to go on people's premises for the purpose of interrogating people. The warrant can issue only when the warrant describes the "place to be searched, and the person or things to be seized."

Actually, what this subsection of the pending bill undertakes to do is to authorize a search for the purpose of obtaining information upon which a search warrant might be legally issued in the first place. But the Constitution will not allow that. It will not permit the issuance of an illegal search warrant for the purpose of obtaining information which might be sufficient to support the issuance of a legal search warrant. Yet that is exactly what is attempted here.

If that sort of procedure should be allowed, it is obvious that the protection against unreasonable searches would become a mockery and a farce. Because if search warrants can legally be authorized for officers to travel with impunity upon people's private lands, without anything but a suspicion or a hunch to justify the authority, then the Constitution becomes wholly meaningless as a protection against the sanctity, security, and protection of private property.

In other words, the Constitution authorizes search warrants for the limited purposes of seizing persons or things. It does not authorize fishing expeditions. It does not authorize searches for the purpose of interrogating people.

**UNREASONABLE SEARCHES ARE VICIOUS**

Mr. Chairman, the right of protection against unreasonable searches is one of the most important in the Constitution, and has always been so treated by the courts—and usually by the Congress. Let me quote very briefly from Mr. Justice Bradley for the United States Supreme Court in the case of *Boyd v. United States* (116 U. S. 616):

It is not the breaking of his doors . . . that constitutes the essence of the offense; but it is the invasion of his indefeasible rights of personal security.

Again, in the case of *United States v. Borkowski* (268 Fed. 408):

The proceedings upon search warrants should be strictly legal, for there is not a description of process known to the law, the execution of which is more distressing to the citizen. Perhaps there is none which incites such intense feeling in consequence of its humiliating and degrading effects. The execution of a search warrant is one of the most drastic and offensive powers of government.

**ONLY MAGISTRATES SHOULD ISSUE SEARCH WARRANTS**

Mr. Chairman, there are other reasons why this attempt by the executive branch of the Government to break down

the rights of the people against unreasonable searches is unconstitutional. Subsection (c) would permit administrative officers to issue search warrants to their own subordinates. Imagine that. The Congress is being asked by the executive branch of the Government to give authority to an administrative enforcement officer to issue his own search warrants. And upon what ground or reason? Let me again direct your attention to the wording of this provision, which, I am informed, was not written on Capitol Hill:

When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant.

Under this monstrous provision, if the district director or his assistant has a hunch, even a remote suspicion, that an alien is at a given place, he can get a fishing expedition warrant without even basing it upon oath or affirmation. And even though the warrant is presumably in good faith, and contemplates an existing violation in the form of an alien being illegally at a described place, the law would give the enforcement officer 30 days to get around to making the search. Do you think it contemplates good faith? Of course not. It is a brazen bid for a blank check fishing expedition based upon an alleged warrant that would be contrary to practically every word and syllable of the fourth amendment, and would make a joke out of people's protection against unreasonable searches.

Search warrants can be legally issued only in conformity with the Constitution. Under that Constitution, the information upon which a warrant is issued must be set forth, by "oath or affirmation" the specific facts which may justify the issuing official to judicially determine if the grounds are adequate. And although the fourth amendment does not state that only judicial officers can issue search warrants, that is clearly contemplated.

Not long before the Constitution was written a very famous case was decided in England which dealt with the authority of the officer to issue a search warrant when that officer held an administrative and not a judicial position in the Government. In the case of *Wilkes*, against Wood, decided in 1763, a general search warrant was issued by the Assistant Secretary of State, and Mr. Wilkes resisted the authority.

There the warrant was issued under the hand and seal of the Earl of Halifax, the Secretary of State, and in the King's name. Lord Chief Justice Pratt in his famous opinion upheld Wilkes and there assumed that unless the Earl was classed as a member of the judiciary that the warrant was improperly issued. It was held that the earl as a Secretary of State did not have the authority of a magistrate.

Would it not be logical, Mr. Chairman, to assume that since the fourth amendment called for a judicial determination of a fact with respect to the sufficiency of the probable cause, that it was con-



templated that only a magistrate could issue a search warrant?

Mr. Chairman, this is another instance of an attempted encroachment upon rights guaranteed to the citizens of the land. If they want and need a search warrant in order to enforce laws, let them obtain it legally and in accordance with the Constitution. The Supreme Court warned against the danger of this kind of infringement in the Boyd case, in this language:

Illegitimate and unconstitutional practices get their first footing \* \* \* by silent approaches and slight deviations from legal modes of procedure. \* \* \* It is the duty of the courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon.

RIGHT TO SEARCH WITHOUT WARRANT WITHIN 25 MILES OF BORDER IS BOTH UNNECESSARY AND UNCONSTITUTIONAL

Mr. Chairman, there is another provision in the pending bill that in my judgment runs afoul of the Constitution and is wholly unnecessary. I refer to the latter portion of the last provision in the measure which authorizes immigration officers, without any kind of warrant or evidence of legal authority "within a distance of 25 miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States."

It will be recalled that when the Immigration Service wrote their original bill on this subject, they gave themselves this blank check authority to go on property and search, regardless of the distance from the border. But evidently someone raised a question and they next came up with the 25-mile language.

Mr. Chairman, the constitutional rights of our citizens who happen to live within 25 miles of a border are just as sacred as those folks who live a thousand miles away. Here is an attempt to obtain, by an act of Congress, a permanent easement for all immigration officers in this country to go on this large landed area, in day or night, with or without reason, and do it with absolute impunity.

I think most of our immigration officers are very decent men, but you know and I know that a few unscrupulous men get into any service.

There are many ranches in the border area of the district I represent in Texas. Sheep and goat raising is the principal industry. Those of you who come from sheep-raising areas know what I am talking about when I tell you that just driving through a pasture during the lambing and kidding season may cause considerable losses. The little new-born lambs and kids often chase the car, run wildly away, become separated from their mothers, then become weak and die. Therefore, most ranchmen keep their gates locked during lambing seasons so not even their neighbors can go in and run the risk of disturbing the flocks.

Thus you can see the opportunity for harassment if an unscrupulous immigration officer—and as I have said, there are a few and will always be—decides to make life rough for a particular land-

owner whose land happens to be within 25 miles of the Rio Grande. Yet, it is proposed here to remove any restrictions or any conditions, and let all immigration officers go into or over any area within 25 miles of a border, at all hours of day or night, and do so day after day if he so desires. And all this with impunity so far as abuse of the privilege or indiscretion are concerned.

#### OFFICERS ARE NOW PATROLLING BORDER

I have said the authority sought here is both unconstitutional and unnecessary. I think I have shown that it would involve unreasonable searches and is, therefore, unconstitutional. Now, let me prove to you that it is not needed. Never in my life, Mr. Chairman, have I heard of an immigration officer having difficulty in patrolling the Rio Grande—and I have been living in that area all my life. I am telling you this authority they want is not for the purpose of patrolling the border. That is incidental. They already have authority to patrol the border. They now want a blank check to go on people's land, tear down gates, fences, and so forth, if they are so inclined, and to snoop and harass if they are so inclined. It is a perpetual blanket trespassing authority issued by the Congress to hundreds of men, to go on other people's property as often as they may desire, day or night, and without even bothering to obtain an arrest or a search warrant.

There is patrol work going on all the time up and down the Rio Grande in Texas. Go down there and see for yourself. If you did you would vote to strike this amendment out of this bill. As you know, since 1946 the border has been patrolled by men whose mission has been to prevent the entry of livestock from Mexico. Did Congress give authority to these patrolmen to go on people's land in their patrol work? No; no such authority for such purposes was requested because they already had ample authority for that purpose.

At the peak of the quarantine program a force of 660 personnel was employed on the Mexican border to prevent livestock from coming across. It was the fight against foot-and-mouth disease. I recently asked Dr. B. T. Simms, Chief of the Bureau of Animal Industry, which handled the quarantine, about the authority of border patrolmen in going on people's private lands along the river. I felt confident they had the necessary authority but I wanted this confirmed. In his answer to me, dated February 8, 1952, Dr. Simms stated:

Some years ago when a question came up concerning the authority for Bureau of Animal Industry inspectors to enter private property in patrolling the Mexican border, we were advised that although there did not appear to be any specific legislative authority for the entry of our inspectors upon private property for the purpose of patrolling the border to enforce the foot-and-mouth disease quarantine, when such entry is essential to the carrying out of the quarantine, a position of implied authority to enter exists.

Therefore, Mr. Chairman, it follows that if border patrolmen have implied authority to enter private lands in order to enforce a quarantine against livestock

coming across the international boundary, immigration officers would have similar implied authority to make reasonable entries for the purpose of enforcing a quarantine against illegal aliens coming across the same boundary and immigration officers have been doing that very thing for a 100 years.

I repeat, the authority here requested is not necessary, and it would give hundreds of officers absolute freedom to go on people's land with absolute impunity, there to disturb livestock, to trespass, snoop, and harass if they were so inclined. And we are asked to give such officers a perpetual easement to go and come as they may desire.

Mr. Chairman, I am wondering if other Members of this House have heard, as I have, the concern of the American people over the continuous delegation of powers to Government agencies—powers that are not really essential. Here you have more of it, and here is a good time to rebel against this wholesale extension of powers that are simply not justified and so far as enforcing the law are concerned are absolutely unnecessary.

In conclusion, I wish to thank the gentleman from New York [Mr. CELLER] and the gentleman from Pennsylvania [Mr. GRAHAM] for yielding me the additional time in order that I could discuss in some detail some of the objectionable provisions in the pending bill.

Mr. GRAHAM. Mr. Chairman, I yield 15 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Chairman, I have asked for this time to call to the attention of the House the hearings which came out before the subcommittee of the Committee on Appropriations under the chairmanship of the gentleman from Virginia, Mr. J. VAUGHAN GARY. These are the hearings in regard to the Post Office Department. I am very sure that I am not alone in saying when I was home, and as I traveled over the country and as other Members have traveled over the country, we were more and more assailed with criticisms of the postal service. People at home say it has never been so bad, and this is a rather difficult thing to refute.

As a matter of fact, we have fewer deliveries, business is being impeded, and we also have given up the directory service completely, which is working a great hardship in many localities. All of these things are brought out in these hearings, and many more. But the main point is that if the Post Office Department is going to run at a huge deficit, if it is going to continue spending the taxpayers' money as it is doing and as it is expected it will continue to do, we have a right to look into the way that Department is run and to take very seriously some of the testimony in this report and to make up our minds that, if necessary, an in-



vestigation into this Department will be ordered also.

On page 3 of the report the Postmaster General states that—

The unaudited postal deficit amounts to \$680,644,570 for fiscal year 1951. Of this amount, \$129,600,000 is applicable to fiscal years 1947 to 1950, leaving a deficit of \$551,044,570 chargeable to 1951 as compared with a deficit of \$590,183,842 chargeable to 1950. The deficit for 1952 will amount to \$768,008,261.

These are big figures and for that reason it is important that every possible step be taken to increase the efficiency, the honesty, and the streamlining of the Post Office Department. The Postmaster General in his testimony, on page 5 of the report, states:

I am concerned with the large postal deficit, inasmuch as it must be paid out of the general taxation. It has a direct bearing on our economic life and is of great importance when we are faced with the problem of financing a vital defense program.

This is true, and we are indeed happy that the Department recognizes it.

We are told that we must forego service that we have had for years so that today our service does not compare with that given in England, Canada, Belgium, and almost every other first-class power. In England the post office closed their books for the year with a surplus of \$32,280,000. There was some consternation because this was \$6,160,000 below the profit of the preceding year. We will be lucky if we end our fiscal year with a deficit of over \$500,000,000. In England they have four and five deliveries a day in the business sections of London and three in the residential sections. We have only one delivery a day in all residential areas, and two in the business sections of our large cities.

It will be objected that England has a much smaller area than our country and that therefore the two cannot be compared. In reply to that it must not be forgotten that England is the seat of the far-flung British Commonwealth and that the volume of mail and parcels going through her post offices is very great indeed.

It is frustrating and distressing to find the Post Office Department unwilling to accept suggestions for improvement, notably those contained in the report of the Hoover Commission. Yet that is a fact and was also brought out again in this report under the able questioning of our colleague, Congressman CANFIELD, of New Jersey.

On page 77 the gentleman from New Jersey [Mr. CANFIELD] quotes from a speech of the Assistant Postmaster General, the Honorable Walter Myers, in which he ends a speech before some postmasters in these terms:

Let those who daily prate about morality wash their own dirty socks before they complain about the smell of other people's feet. There are none so blind as those who see only red, none so deaf as those who only hear what they want to hear, none so deceiving as those who pretend truth and talk double, and none so obtuse as those who palm off the smell of a dead rat in their own back yard for sweet violets, sweeter than the roses.

This is the usual red-herring approach. Instead of making corrections and improvements, the Department merely stands around saying, "You're another," or worse.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I would like to have the gentleman tell us where that statement was made. It sounds as if it might have been made at some political convention.

Mrs. ST. GEORGE. It was made before a group of postmasters.

Mr. REES of Kansas. By an Assistant Postmaster General?

Mrs. ST. GEORGE. That is correct.

Recently the full light has been turned upon the situation that came to light in the Boston post office. Of this scandal, for that is exactly what it is, Assistant Postmaster General Burke, said, and I quote again from the report:

The Boston case stands out as the most aggravating case of its kind that we know of.

The Postmaster General read into the hearings from the latest report that he had on the Boston post office. The report states:

The United States attorney now has 36 presentation letters under consideration for attention by the grand jury. Restitution in the amount of \$27,068 has been made to date to a total of 187 employees. Now as a result of these investigations 175 regular classified employees have either been removed, resigned, or reduced. One hundred and nineteen classified substitute employees have either resigned, removed, or reduced. There were 74 of those resigned and 33 were removed. One thousand and four temporary employees were dropped or removed or resigned, affecting a total of 294 regular employees and 1,005 temporary employees.

In other words, counting the regular classified employees, and the classified substitute employees and the temporary employees, the total number who resigned, were reduced or removed, as a result of these investigations totaled 1,298. That, I submit, Mr. Chairman, is a considerable number.

Mr. REES of Kansas. Will the gentleman also tell us about the penalties that were inflicted by reason of this skulduggery that was going on up in the Boston post office? How much were they penalized? According to the figures I have, only one so far has even been sent to jail.

Mrs. ST. GEORGE. That is correct. Only one was sent to jail. The others got off with small fines. I think the gentleman will agree with me that the fines were small in comparison with the offenses.

Mr. REES of Kansas. The fines were small. Only one of them went to jail for a short period of time; is not that correct?

Mrs. ST. GEORGE. That is correct.

I was also told off the record that this scandal in Boston was going on so flagrantly that on one occasion a gentleman was stopped in his car and asked by someone if he could give him a lift. This individual said, "I am in a great hurry;

that is why I am stopping you." My friend said, "What is this great hurry? Where are you going?" "Oh," he said, "I have to go down to the post office in Boston. I am the guy that punches the time clock." That is a fine situation to have discussed in that way.

The gentleman from New Jersey [Mr. CANFIELD] also asked if it was true that this skulduggery had been going on for 6, 7, or 8 years. To this the Postmaster General replied that he did not think it had been going on that long, but he did not give any idea of how long it might have been going on. It is obvious that it had been going on for some time. It is equally obvious that if there had been a proper inspection service this scandal could never have taken place in that office.

Mr. REES of Kansas. Is it not true, also, that if there had been proper supervisory service there, including the postmaster and the supervisors working with him, and if they had been attending to their business we might not have had these scandals in this post office?

Mrs. ST. GEORGE. The gentleman is entirely correct. In my judgment, if they had had one good supervisor in that office it would have been enough to prevent this situation from developing. I am very sure it would have been.

Mr. Chairman, it would seem to me that a thorough investigation of our large post offices and of the general workings of the Post Office Department should be undertaken to reassure the people of our country. It should also be undertaken to safeguard and to uphold the reputations of the many honest, patriotic, and hard-working postal employees all over this land.

The great danger with these things is that people are inclined to tar everyone with the same brush. They are inclined to think that because these things have happened in some offices they happen everywhere.

Those of us who have worked close to the Post Office Department and close to the postal employees know that this is not the truth, and it is as important for these people to be vindicated as for the wrongdoers to be punished. It is a fact that in many localities, the only contact the people have with the Federal Government is through the post office and the local postal employees. For this reason, this Department above all others should be above reproach, and this Department should above all others welcome an honest and straightforward investigation. There are many things that can be greatly improved such as supervision of the leave programs, and the overhauling of the policy with regard to accumulated leave. There is a great deal of skulduggery, to put it mildly, in the accumulated-leave situation. I heard about a case the other day where the postmaster who was about to retire will receive about \$10,000 in accumulated-leave salary. This should be corrected. There also should be a very much stricter check on the inspection service throughout this whole Department. It is quite obvious that if the inspection service had been as it should be, as I said be-



fore, you would not hear now of over 1,200 employees being removed or discharged from the Boston post office.

Mr. REES of Kansas. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. REES of Kansas. Does not the gentlewoman agree with me than in view of the situation which has been called to our attention in the Boston post office, the whole thing ought to be investigated from top to bottom, and not only find out who committed these crimes, but how they came about, and who is responsible for them.

Mrs. ST. GEORGE. That is my hope. I agree with the gentleman, and I hope that some such investigation will be put into the works very soon. I think we need it, and want it, and I also think the Department itself would welcome it. As long as the service is being curtailed in the name of economy, and as long as deficits of half a billion dollars or more exist in the Department, and I believe they will go on existing because, apparently, it is impossible to run this Department in any other way, I think the Post Office Department is in honor bound and duty bound to put its house as completely in order as it possibly can.

Mr. Chairman, I would like to take this opportunity of commending the members of the Gary subcommittee for the very splendid job they did at these hearings, and for releasing these hearings at this time. It will be very helpful, especially to the department itself. I, for one, am sure that the Postmaster General will welcome the opportunity to help all those in this country of ours who want to see our Post Office Department the finest in the world. There is every reason why it should be so.

Mr. REES of Kansas. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. REES of Kansas. I agree with the gentlewoman that the Members of the House would do well to examine carefully the hearings to which she has called attention because I think we will be in a better position to discuss the appropriations of the Post Office Department at that time. I notice among other things that the Postmaster General, and I am in agreement with him in this respect, advocates the repeal of that 10-percent monstrosity which got into the bill which we passed not too long ago. I hope that with the gentlewoman, we will repeal that particular item when the time comes.

Mrs. ST. GEORGE. I sincerely hope so. It is indeed a monstrosity. I cannot imagine how it ever did get into the bill, but since it is there, the sooner it is repealed, the better.

Mr. LYLE. Mr. Chairman, if the gentlewoman from New York would yield, may I inquire what this monstrosity is? It is not by any means the very fine amendment which I offered, is it?

Mrs. ST. GEORGE. No; I am afraid the amendment came from the other side of the aisle, I must tell the gentleman from Texas, and it is in regard to the sale of the 2-cent postal cards, making it necessary to pay an extra 10 per-

cent when you are buying 50 post cards, which at the present time works out in such a way that people send their clerks down to the Post Office to purchase 49 postal cards at a time, which, of course, is only heaping work on an already overworked department.

Mr. BROWNSON. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. BROWNSON. I think the gentlewoman will also agree that we have an obligation to the career workers to conduct such an investigation to make working conditions better for them for there are thousands of loyal, patriotic postal workers who have devoted their lives to their careers in the department, and who are now just sick at heart with conditions that exist in their chosen careers.

Mrs. ST. GEORGE. The gentleman is entirely correct. I tried my best to bring that out in my statement. I feel very strongly that the postal employees themselves want to see this investigation brought about.

Mr. REES of Kansas. Mr. Chairman, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Kansas.

Mr. REES of Kansas. In line with the statement just made, I recall the effort made by the distinguished gentlewoman from New York who now has the floor during the Eightieth Congress in an attempt to study the Post Office Department and to offer suggestions whereby it might be operated more efficiently. Her services were most helpful. That committee included the distinguished gentleman from Texas [Mr. LYLE]; he also took part in that study.

Mrs. ST. GEORGE. That is true.

Mr. REES of Kansas. And an effort was made, as the gentlewoman just suggested, not only to find out what was wrong but to offer some suggestions whereby the Post Office Department could be improved.

Mrs. ST. GEORGE. May I say to my friend from Kansas that I will continue those efforts even though they do not always bear the fruit I would like to see them bear.

The CHAIRMAN. The time of the gentlewoman from New York has again expired.

Mr. GRAHAM. Mr. Chairman, I have no further requests for time on this side.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

(Mr. HOLIFIELD asked and was given permission to revise and extend his remarks.)

Mr. HOLIFIELD. Mr. Chairman, I am interested in the bill before the House today, S. 1851, because I happen to represent a section of the city of Los Angeles and some of the surrounding territory which probably has the greatest concentration of Mexican-American citizens in it of any area in the United States of like size. I believe Los Angeles has been called the second largest city in Mexican-origin population in the Western Hemisphere, next to Mexico City. We have around 200,000 people in

our city and in the surrounding environs who are of Mexican origin. We consider those people ethnologically as Caucasians. We do not consider them as being of a different race. We have a great many Mexican-American citizens and we also have many Mexican aliens. Some of them are legally entered aliens, and some of them are illegally entered aliens. It is not pressing the point at all to say that along with the influx of these aliens they have brought many social and economic problems to our communities in southern California. Particularly is that true of the illegally entered Mexican aliens, because they come across without any screening at all by the immigration authorities, as to their qualifications in any way, including their condition of health. We have had many cases where people who have come into California illegally have brought diseases with them, particularly tuberculosis. It has presented quite a problem to our county health authorities and to our immigration authorities.

We have approximately 200 miles of California-Mexico border line between the two countries, and possibly four legal ports of entry. Between those legal ports of entry there are many hundreds of miles of desert waste lands, which it is impossible to patrol with our limited immigration forces. Better prevention of illegal entrants could be obtained if we had more members of our immigration and naturalization patrol on the border. They are all overworked. It is true our police stockades in and near our ports of entry are filled with illegal entrants. We capture thousands of them every year and we return them to Mexico at great expense to the taxpayers. Other thousands, no doubt, come across the border who are not apprehended. Where a problem exists I do not believe it is any discrimination to screen more thoroughly the people who are in the United States of a certain recognizable racial group. If a crime is committed by a man driving a yellow Buick sedan and he leaves the scene of the crime a broadcast goes out from the police to stop all Buicks of a yellow color of that particular type, and good citizens are not discriminated against if they are asked to show some sign of identification when stopped. They are willing to undergo this inconvenience in the interest of law enforcement.

I think it is entirely possible to print a simple card of identification which might be carried by the people in those areas where illegal entrants are commonly found; it might be similar to a social-security card; it might be any other kind of identification card. We do not consider it discrimination when a traffic officer stops us and asks us to show our passenger vehicle operating card; it is a very common occurrence. You pull out your card and show it to him as a matter of your own protection as well as the protection of others. So I think that the process of identification could very easily be carried out in these areas where we have the problem of apprehending thousands and thousands of these illegal entrants each year.



There is another impact upon our economy in California. It is absolutely necessary for us in California to have additional help at certain times of the year for the harvesting of the tree crops and what we call the row crops or stoop crops. It is very hard to get our local citizens to stoop all day long over a row of lettuce or do some other type of agricultural work of that nature. So it is necessary to have people who can and will do work of that type, who do not usually have as much skill as our other local citizens. During the war and after I supported all the agreements between Mexico and the United States in regard to getting these people into California, Texas, and other places in the United States. It is absolutely necessary that we have them, and I think the best way to protect both these people who come in, and our own local citizens is to have them under contract between the governments. I remember the days when there was no such thing as Government contracts, when the obtaining of Mexican labor rested upon individual labor contracts; and I remember the great abuses that occurred during that time, much too numerous to mention. The only way to do it I believe, and do it right, is to do it by contract with and between governments, and have Federal policing to see that those contracts are complied with.

I want to compliment the Committee on the Judiciary for bringing in this bill. I believe that it will be a great improvement over the situation as it now exists. I have no fear at all that it will bring hardship to good citizens of Mexican origin. It is not designed for that purpose; it is designed to protect both the employers, labor, and the American citizens against illegal type of entrance into our country and also against foreign labor that might be taken advantage of not by the majority of American employers but those who are always cutting corners in order to obtain an advantage. I am for the bill and I hope it will be passed.

Mr. GRAHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

[Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks and to speak out of order.]

Mr. HOFFMAN of Michigan. Mr. Chairman, as the President said in his message on the state of the Union, this is a year "in which politics plays a larger part in our lives than usual"; there is "the necessity for putting first things first as we work together this year for the good of our country."

The present situation demands that each of us must now think and act for the protection of our own country.

#### OUR GOVERNMENT

Our Government—and concededly it is the best yet devised—rests upon the premise that it is a government of, by and for the people. It will so remain if, but only if, the people—you and I—participate actively in political campaigns.

Always some thoughtless, careless people, assuming unearned blessings would

continue without effort on their part, have neglected their civic duty, let control of their government be taken from them. And—

Always there have been—no doubt will continue to be—selfish, ambitious, professional politicians, who, taking advantage of that neglect, seeking their own ends, seize our Government, follow a course which, in some degree, deprives the people of their freedom and the Nation of its security.

It is obvious that a continuation of the incredible waste, extravagance, and corruption in the administration, uncovered by conscientious Democrats as well as by Republicans—which are now apparent to all—will eventually impair the ability of our Nation to defend itself, destroy our standard of living—the individual freedom and prosperity which we have enjoyed—all of which we have mistakenly assumed would continue without effort on our part.

We cannot, indefinitely, under United Nations or any other one-world group, carry on the war in Korea, where we are furnishing 95 percent of the fighting men, have suffered 95 percent of the casualties which number more than 103,000; where the Russian planes are superior in both efficiency and number.

We cannot create and maintain in Western Europe an army of two or more million men when the support of the French and other nations is lukewarm, when Britain refuses to permit her soldiers to be integrated into the army.

We cannot comply with France's request for dollars and men to fight in Indochina.

We cannot agree to Britain's plea for aid in Malaya and Burma, or with her demands that we send troops to support her position in opposition to the Egyptians at the Suez; that we join her in, if necessary, fighting in Iran.

We cannot continue to conscript our men to fight in every war in which United Nations—of which Russia is a member—may become involved.

The foregoing things we cannot continue to do without creating ruinous inflation; without placing upon our own people the restrictions and the burdens which will destroy their freedom, their standard of living; without, ultimately, as a Nation, bleeding ourselves white; destroying our ability not only to help others, but to defend ourselves; without making us an easy prey to communistic doctrines and practices; eventually, conquest by Russia.

#### OUR OPPORTUNITY

It is often said, opposition to the present domestic and foreign policy is not enough. True. But putting out a fire and cleaning up the site is necessary before rebuilding can begin. Having stopped the conflagration and cleared the ground; having put an end to waste, extravagance, corruption, arbitrary bureaucracy, then a sound, affirmative program, designed for the betterment and preservation of our country can succeed.

Moreover, it is not true that a "no" vote is no more than a negative vote. In reality, a "no" vote is often an affirmative vote implementing a positive, aggressive policy.

A "no" vote against waste and incompetency is, in reality, a "yes" vote for economy and efficiency.

A "no" vote against corruption is an affirmative vote for honesty.

A "no" vote against unjustifiable, excessive aid to other countries is an affirmative "yes" vote to preserve our own ability to defend ourselves.

A vote against an unlimited grant of arbitrary power to a public official is a vote for the preservation of constitutional processes.

The "Thou shalt not" in every one of the Ten Commandments is not just a "no"—a negative—admonition. It is, in effect, an affirmative, positive demand that right conduct be followed.

So, what must we do to be saved, and when will we have that opportunity?

If our political parties with sincerity write clear, accurate statements of their purpose, we will have the opportunity at the November 1952 elections to determine the course which the Nation should follow. We will, at the same time, name the director of the policies we then adopt.

#### WHAT AFFIRMATIVE PROGRAM DO I ADVOCATE?

On the domestic front, nothing new, something old, but recently forgotten. Just what I have always fought for—less waste, less spending, more economy, more efficiency, on the part of the Federal Government and its employees.

Then, reorganization in the Federal Government which will lessen, not increase, the number of Federal employees. A reorganization which will call for the same degree of service and efficiency that would be required if privately employed.

In the transaction of the Government's business, the same policies followed by the successful individual who must, and who does, make both ends meet.

Less interference by Federal agencies in all civilian activities which can be performed by the States, their municipal subdivisions, or individuals.

Positive, aggressive action which will return to the States the authority which is rightfully theirs under the Constitution and our former practices.

Abandonment of the Henry Wallace idea that it is our duty to, without effort on their part, feed, clothe, and house people everywhere until their standard of living equals, or exceeds, our own.

Absolute, unwavering loyalty and integrity from every elected or appointed public official.

#### ALL IMPORTANT

On foreign policy, the abandonment of the theory that we can buy friendship. Abandonment of the thought that it is our duty, through the contribution of billions of dollars and the conscripting of millions of men, to, under some one-world organization, participate in every war, whenever, wherever, United Nations or any similar organization may become involved in war.

For ourselves and our country a foreign policy similar to that advocated by Churchill for the British Empire. A policy followed by every other nation. A policy which will best serve the interests of our own country. Self-preservation.



tion shapes the conduct of all other nations. It must of necessity determine our policy if we are to continue a Nation.

The establishment, on the advice of a group of men like Herbert Hoover, concededly an authority on world economics; of men like General MacArthur, a foremost military expert, of a frontier from and on which we can, successfully and with minimum loss, defend ourselves from aggression, deter those who would either, by propaganda, threat or force, or force itself, imperil the freedom of our people, the security of our country.

A small part of the billions which have been wasted or stolen not only by our own corrupt officials, but by those of other nations, would create, train, and adequately equip Armed Forces sufficient to successfully meet and turn back aggressive action by any nation or group of nations.

National defense, adequate to our need, should be forthwith created and continued.

#### ANYTHING MORE?

Certainly. The determination of a policy, however sound, is ineffective unless administered by men who will faithfully translate it into action.

This raises the question as to who the Democrats—the Republicans—should nominate at their national conventions in July.

Being a Republican, a suggestion from me to our Democratic friends as to their nominee is entirely out of place. None will be made. Republicans have no dearth of candidates.

Senator ROBERT A. TAFT, a man experienced in legislative and executive practices as carried on by State and Federal Governments; a man whose ability, integrity, frankness, courage, and determination have never been questioned by those cognizant of the facts, is an avowed candidate.

General Eisenhower, a man with an enviable reputation as a military leader is reputed to be a master of diplomacy, who apparently adheres to the present European foreign policy, has been declared to be a candidate by those who entertain views similar to his on foreign policy. He has announced his willingness to accept the nomination if it is tendered him. His specific views on domestic policies are, to a large extent, unknown.

There are other announced and, no doubt, dark horse candidates.

It is my understanding that some Michigan candidates seeking the Republican nominations for State and national office have indicated that General Eisenhower is their choice for the Republican nomination for President. That is their right and their privilege.

It would be presumptuous for me to attempt to dictate to any Republican in the Fourth Congressional District, or elsewhere, whom he should support for a Republican nomination. But as others in Michigan have indicated their preference and as I am a candidate for the Republican congressional nomination, and as many of my constituents have written, asking my preference, it would be cowardly for me to refuse to answer that question, sit on the fence in the hope of getting votes from both factions.

In my opinion, it is not only the right, but the duty, of every candidate, when asked by one whose support he seeks, to state his views on any political issue.

I have met and heard both General Eisenhower and Senator TAFT express their views on proposed legislation. Because of what I know of the two men and of their views on domestic, and more especially, on foreign policy, the Senator is my personal choice for the nomination. I will not, however, be trapped into an active, aggressive campaign of either extreme praise or disparagement to influence the selection or defeat of any candidate who seeks that nomination.

It is my firm conviction that Mr. Truman, his crew of wasters, spenders, his corrupt, and, I may add, some disloyal subordinates, must, for the good of the country, be ousted.

It is my purpose, as well as my duty as your Representative, to, before election, speak plainly and vigorously throughout the district on the principles which I think should guide us, and then to support, in like manner, the Republican candidates who will be nominated at the State and national conventions.

This for the reason that, although neither platform nor candidate may be just what each of us would like, both—I predict—will be infinitely better than anything that will come out of the present New Deal-controlled administration.

It is long past time for individual citizens, if they are at all concerned about the future of our country, to take an active part in determining our future domestic and foreign policy, in the selection of those who will implement those policies.

This is your Government. You have an opportunity to make it the kind of a government you want.

Let those who have been negligent of their duty to participate in political activities now come forward, make their influence felt, or hereafter hold their peace when disaster threatens.

Mr. CELLER. Mr. Chairman, I have no further requests for time.

Mr. GRAHAM. I have no further requests for time.

The Clerk read as follows:

*Be it enacted, etc., That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144), is hereby amended to read:*

"Sec. 8. (a) Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who—

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise;

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States occurred less than 3 years prior thereto, transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) willfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means or transportation; or

"(4) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 5 years, or both, for each alien in respect to whom any violation of this subsection occurs; *Provided, however,* That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

"(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity which in no case shall be for more than 30 days."

SEC. 2. The last proviso to the paragraph headed "Bureau of Immigration" in title IV of the act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

"(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle, and within a distance of 25 miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and."

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HERLONG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, had come to no resolution thereon.

INDIVIDUAL AMERICANS CAN PLAY A VITAL ROLE IN THE ACHIEVEMENT OF A FREE AND PEACEFUL WORLD

(Mr. McKINNON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a letter.)

Mr. McKINNON. Mr. Speaker, if our country is ever to achieve a peaceful world under a democratic system, it is



going to require more than the efforts of our governmental diplomats and military masterminds—great as their efforts may be.

Peace and freedom is everybody's business, and the individual American citizen can play a tremendously vital role in getting over our aims and ideals to the rank and file throughout the world.

During the 1948 elections in Italy, when the Communists threatened to take over that government, the Italian-American people undertook a letter writing campaign to their relatives and friends in Italy that snatched victory from defeat.

Millions of Americans are so anxious to do their part in the battle for peace and freedom that I believe they will be interested in a suggestion made by Miss Joan Fontaine, one of Hollywood's distinguished citizens, and I ask that her letter be incorporated in the RECORD at this point so that my colleagues and their constituents may have the benefit of a practical suggestion of what can be done by our own people to achieve a free and peaceful world.

LOS ANGELES, CALIF., February 8, 1952.  
Hon. CLINTON D. MCKINNON,  
House of Representatives,  
Washington, D. C.

MY DEAR MR. MCKINNON: Ever since I returned from an extended trip to Europe, I have been haunted by the feeling that there is something we could do for the people of Europe that we are not doing.

It would cost almost nothing, and I believe it would bring tremendous returns.

By "we" and "the people" I do not mean governments or nations.

I mean individuals.

I talked to a lot of men and women, just ordinary people, while I was in Italy and France and Germany, and I saw it in their eyes.

They aren't sure that we really want to be friends. They aren't sure that we care. They aren't sure that we understand that they are people with everyday problems and worries—just neighbors who happen to live across an ocean instead of across the street.

And I can't help remembering that in a great book, it says: "Love thy neighbor."

I do not mean "love" in the ordinary concept of the word. I mean—and I think the book means—love that is understanding and friendliness, sympathy and helpfulness, the sharing of joy and sorrow and hope. We don't have to be exactly like people to love them; we just need to understand.

I think that is what the eyes, into which I looked in Europe, were hoping to see when they looked into mine; what they hope to see in the eyes of America.

And so I have an idea.

There are millions of women in America, who are hoping and praying for peace and a better feeling between nations, but who are sad because there is so little they can do. True, they can appeal to the makers of treaties and international agreements to put into those agreements, along with the necessary formal words, a convincing expression of our desire to understand and be understood, but that isn't personal.

It isn't like saying directly to someone in England or France or Germany or Italy, or even behind the iron curtain, that here in America is someone who wants to be a friend.

But suppose that even half of the 75,000,000 women in the United States wrote, in a spirit of friendship and love, to these neighbors in Europe; wrote regularly.

Suppose they showed a real interest, not so much in the big problems, but in how

those neighbors are living, what they are thinking, how they are getting along. Suppose they wrote about their children and what they hope for them.

Suppose a woman in New York and one in London, or one in a little Midwest town and another in a village in France became letter friends this way.

Don't you think they would understand each other better, and that the understanding would spread in both countries?

I think that misunderstanding and suspicion are at the bottom of most of the world's troubles, although I realize, of course, that there are evils which can be cured only by stern measures.

But you don't misunderstand your friends. You don't suspect them.

Any woman can, if she wants to, find someone in Europe to whom to write. There are organizations in many American cities that can help. She could write to city officials, to a church, to the school superintendent in a European city and ask for a name.

Perhaps it seems odd for a motion-picture actress to suggest something that apparently hasn't anything to do with her own profession, but it isn't so far removed.

We of the acting profession know how much it means to find that strangers are strangers no longer, but friends; not just people who look at us on the stage or screen, but people who are really interested in us and want to know us better.

And besides, I am writing now not so much as an actress but as a woman who has looked into the eyes of our neighbors across the sea.

Isn't there some way that this could be done?

Could Congress approve it, at least as something worthy of trying? Often it needs just a suggestion to start something worthwhile.

Sincerely yours,

JOAN FONTAINE.

#### SPECIAL ORDER

THE SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. FURCOLO] is recognized for 60 minutes.

#### UNIVERSAL MILITARY TRAINING

(Mr. FURCOLO asked and was given permission to revise and extend his remarks.)

Mr. FURCOLO. Mr. Speaker, I want to speak today about the subject that will come up tomorrow when we begin debate on the universal military training bill. I know most of the Members have given a great deal of thought to it. There may be some who have made up their minds as to how they are going to vote. On the other hand, it seems to me there are a great many Members on both sides of the aisle who have not yet decided just exactly what they want to do.

There are many Members who do not like universal military training, yet there does not seem to be any alternative that has been offered by the Committee on the Armed Services with the exception of the bill to be presented tomorrow. I for one do not think that bill is the answer to the situation in which we find ourselves. It does not give us the strength we need. It is not the best solution, in my opinion. It does not give us sufficient strength nor proper preparedness.

I do not believe it is enough simply to say that it is not the right answer without trying to offer something that may either be constructive in ideas or may

perhaps offer a clue so that someone else may have an answer that is correct. It is for that reason I take the floor today.

The program and the solution I suggest is a threefold program. To begin with, as one part of the program, you would have the Selective Service System as it is now. I do not mean to continue the abuses of our Reserves that have been practiced under it but I do mean that we would have the framework of a draft as one part of the solution I propose.

Now, a certain number of our men, of course, are going to be sent overseas. Whatever the number of men may be who are going to be sent overseas, you set a limit on the number of men who can be drafted and be held in readiness in the military camps of this country. The limit I have suggested that will always be held in readiness in camps in the United States is set at 1,000,000 men. There is a reason why I have arrived at that figure of 1,000,000. I will go into the reason in some detail as I go along.

In the first place, almost everyone agrees that a man can be made ready for combat in about 6 months. You may find different estimates all the way from 2 months to 10 months or a year or a year and a half. But in general most military experts agree you can take a raw, untrained recruit and have him ready for combat in approximately 6 months. General Collins, in fact, as I understand his testimony, has so testified in the hearings I read. That is one reason for the 1,000,000 men I have suggested.

The second reason is that it is absolutely impossible for the military to ship over 1,000,000 men to probable battlefields in less time than 6 months, using every single means of transportation we have and doing it as rapidly as we can. In other words, if the military decided they had 1,000,000 men they wanted to get across as rapidly as they could, using every single means of transportation we have, they cannot do it in less than 6 months.

That is why I suggest that a limit be placed on the number of men in camps in this country—a limit based on, first, the time it takes to make a man ready for combat; and second, the transportation time. Six months is the answer to both.

The second part of the program I have suggested that is not the Selective Service System and is not the draft is what I call the student military training program.

Under that student military training program, students in high schools and colleges and universities between the ages of 17 to 35, if there were any that old, would be given 3 months' training a year. They would get that 3 months' training between June 15 and September 15. In that way, of course, there would be no interference of any kind with their education.

Now that would give a reserve of approximately 400,000 or 500,000 people between the ages of 17 and 22 years of age who would have been at least partially trained. They are not combat ready but they have had training of 3 months, from June 15 to September 15. They would not be fully trained, but they









# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued Feb. 27, 1952  
For actions of Feb. 26, 1952  
82nd-2nd, No. 29

## CONTENTS

|                             |                                    |                          |
|-----------------------------|------------------------------------|--------------------------|
| Defense production.....7,8  | Labor, farm.....1                  | Taxation.....10          |
| Dairy industry.....7        | Lands.....6,10                     | Territories and          |
| Farm credit.....14          | reclamation.....16                 | possessions.....5,11,17  |
| Farm production.....19      | Lobbying.....4                     | Textiles.....11          |
| Fats and oils.....7         | Military training.....2            | Trade, foreign.....7     |
| Foreign affairs, aid.....15 | Nomination.....9                   | Transportation.....18    |
| Forests and forestry.....6  | Personnel.....3,13                 | T.V.A.....22             |
| Health.....9                | River basin development... ..21,22 | Water utilization.....21 |
| Import controls.....7       | Soil Conservation.....20           |                          |

**HIGHLIGHTS:** House passed wetbacks- entry bill. House debated military-training bill. House committee ordered reported bill to provide for loyalty investigations by CSC. Senate debated Alaska statehood bill. Senate committee reported O&C land jurisdiction bill. Senate committee ordered reported import-controls bill.

## HOUSE

- FARM LABOR.** Passed with amendments S. 1851, to assist the Justice Department in preventing the illegal entry of aliens (wetbacks) into the U. S. (pp. 1440-7).  
Agreed to amendments by Rep. Walter to enable any law-enforcement officer to arrest aliens illegally in the U. S., and to require the Justice Department to obtain search warrants from courts before making searches (pp. 1441-4).  
Rejected, 76-81, an amendment by Rep. Phillips to eliminate the 25-mile border area within which immigration officers could enter private lands to search for illegal aliens (pp. 1444-6). Also rejected an amendment by Rep. Fisher, 38-70, to reduce the border area to 5 miles (pp. 1446-7).  
The bill was passed by a vote of 162-10 (p. 1447).
- MILITARY TRAINING.** Began debate on H. R. 5904, to provide for the administration and discipline of the National Security Training Corps (pp. 1448-63, 1468-9).
- PERSONNEL INVESTIGATIONS.** The Post Office and Civil Service Committee ordered reported, but did not actually report, S. 2077, to provide for loyalty investigations by the Civil Service Commission in lieu of the FBI (p. D136).
- LOBBYING REPORT.** The Clerk of the House and the Secretary of the Senate submitted their quarterly report on registrants pursuant to the Lobbying Act (pp. 1474-519).

## SENATE

- ALASKA STATEHOOD.** Continued debate on S. 50, to grant statehood to Alaska. The pending question is a motion by Sen. Smathers to recommit the bill to the In-

terior and Insular Affairs Committee. (pp. 1395-9, 1404-22, 1436-8.)

6. FOREST LANDS. The Interior and Insular Affairs Committee reported with amendments S. 539, providing for an exchange of administrative jurisdiction between Agriculture and Interior over certain of the O&C lands in Oreg. (S. Rept. 1214) (p. 1392).
7. IMPORT CONTROLS; DAIRY INDUSTRY. The Banking and Currency Committee ordered reported without amendment, by a vote of 7 to 5 (but did not actually report), S. 2104, to repeal section 104 of the Defense Production Act of 1950, which provides for import controls on fats and oils and dairy products (p. 1434). The bill was recommitted to the Committee January 30.
8. DEFENSE PRODUCTION ACT. The "Daily Digest" states that the Banking and Currency Committee "unanimously agreed to hold hearings beginning March 4 on amendments to the Defense Production Act of 1950, that Government witnesses be heard first, that the hearings be closed by March 21, and that a bill be reported to the Senate by March 31" (p. 1434).
9. NOMINATION. Received the nomination of Dr. Leonard A. Scheele for reappointment as Surgeon General of the Public Health Service (p. 1438).
10. LANDS; TAXATION. Received a resolution of the Virginia Legislature urging enactment of legislation to provide compensation for taxes lost to the State by reason of property acquired by the Federal Government (pp. 1391-2). To Interior and Insular Affairs Committee.
11. PUERTO RICO. Sen. Bridges discussed with other Senators the political and economic conditions in Puerto Rico. He claimed that textile industries from New England and elsewhere in the U. S. are moving to Puerto Rico because of the incentives of tax exemption and low-wage scales, and inserted newspaper articles discussing the problem of the New England textile industry. Sen. O'Mahoney inserted a memorandum from the Resident Commissioner of Puerto Rico describing general conditions there and a resume of legislation enacted by Congress for Puerto Rico since 1898. (pp. 1422-36)

#### BILLS INTRODUCED

12. MINERALS. Sen. Bennett introduced (for himself and Sen. Watkins) S. 2737, to authorize Interior to permit the prospecting, development, mining, removal, and utilization of mineral resources of national forest lands or lands administered for national forest purposes or in connection with national forest programs not subject to the operation of the general mining laws, the Mineral Leasing Act, as amended, or the Mineral Leasing Act for Acquired Lands, or for the development of which no other statutory authority exists; to Interior and Insular Affairs Committee (p. 1392). Sen. Bennett inserted his statement explaining the purposes of the bill (p. 1393).
13. PERSONNEL. S. 2741, by Sen. Johnson, Colo., to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to Post Office and Civil Service Committee (p. 1392).  
H. Res. 536, by Rep. Anfuso, N. Y., authorizing and directing the Post Office and Civil Service Committee to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1)(c) of the Rules of the House of Representatives (defining the jurisdiction of the Committee); to Rules Committee (p. 1473).



# House of Representatives

TUESDAY, FEBRUARY 26, 1952

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the Supreme Intelligence, show us how we may interpret and decide wisely and rightly the great questions and problems which we are about to consider.

Thou knowest how deeply and vitally concerned we are about the defense and safety of our Republic and the welfare of the whole world.

We humbly confess that our own finite judgment is so faulty and fallible that we cannot predict what lies before us.

Forgive us for sinning against Thee and against ourselves by allowing our minds and hearts to be tortured and tormented with feelings of doubt and despair.

The future belongs to Thee. May we then daily put our trust in Thee and seek Thy divine guidance faithfully and confidently for Thou alone art too wise to err and too kind to injure.

Hear us in Christ's name.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 800. An act for the relief of Cindy Eberhardt;

H. R. 1962. An act for the relief of Wanda R. Barnett;

H. R. 2205. An act for the relief of Mary Alice Floyd;

H. R. 2398. An act to amend Public Law 848, Eighty-first Congress, second session;

H. R. 2669. An act for the relief of Maria Sarandrea;

H. R. 2672. An act for the relief of the law firm of Harrington & Graham;

H. R. 3100. An act to repeal the act of August 7, 1939 (53 Stat. 1243; 48 U. S. C., sec. 353);

H. R. 3569. An act for the relief of Louis Campbell Boyd;

H. R. 3860. An act to amend the act for the retirement of public-school teachers in the District of Columbia;

H. R. 3981. An act to amend the act of July 8, 1943 (57 Stat. 388), entitled "An act to authorize the Secretary of Agriculture to adjust titles to lands acquired by the United States, which are subject to his administration, custody, or control";

H. R. 3985. An act for the relief of Hal Soon Lee;

H. R. 4130. An act for the relief of Caroline Wu;

H. R. 4224. An act for the relief of Mrs. Elfriede Hartley;

H. R. 4419. An act to amend the District of Columbia Teachers' Salary Act of 1947;

H. R. 4703. An act to provide that the Board of Education of the District of Columbia shall have sole authority to regulate the vacation periods and annual leave of absence

of certain school officers and employees of the Board of Education of the District of Columbia;

H. R. 4749. An act authorizing the Secretary of Agriculture to return certain lands to the Police Jury of Caddo Parish, La.;

H. R. 4877. An act for the relief of Mrs. Margherita Caroli;

H. R. 5097. An act to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes;

H. R. 5235. An act to authorize and direct the Commissioners of the District of Columbia to make such studies and investigations deemed necessary concerning the location and construction of a bridge over the Potomac River, and for other purposes;

H. R. 5256. An act to secure the attendance of witnesses from without the District of Columbia in criminal proceedings; and

H. R. 6273. An act to amend the act relating to the incorporation of Trinity College of Washington, D. C., in order to make the archbishop of the Roman Catholic Archdiocese of Washington an ex officio member and chairman of the board of trustees of such college.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1012. An act to permit educational, religious, or charitable institutions to import textile machines and parts thereof for instructional purposes;

H. R. 3219. An act to confer jurisdiction upon the United States District Court for the Northern District of Texas to hear, determine, and render judgment upon the claim of Robert E. Vigus;

H. R. 4645. An act for the relief of Mrs. Marguerite A. Brumell; and

H. R. 5317. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the George H. White Construction Co., of Canton, Ohio.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 194. An act to prohibit age requirements or limitations with respect to the appointment of persons to positions in the competitive civil service during periods of war or national emergency;

S. 523. An act for the relief of Walter Duschinsky;

S. 554. An act for the relief of Boutros Mouallef;

S. 853. An act for the relief of Dr. Ying Tak Chan;

S. 1032. An act to authorize each of the States of Montana, North Dakota, South Dakota, and Washington to pool royalties derived from lands granted to it for public schools and various State institutions;

S. 1085. An act for the relief of Kane Shinohara.

S. 1121. An act for the relief of Matsuko Kurosawa;

S. 1192. An act for the relief of Demetrius Alexander Jordan;

S. 1234. An act for the relief of Toshiko Konishi;

S. 1333. An act for the relief of Maria Seraphenia Egawa;

S. 1344. An act to amend the law of the District of Columbia relating to forcible entry and detainer;

S. 1372. An act for the relief of Mrs. Madeleine Viale Moore;

S. 1429. An act to prohibit the transportation in interstate or foreign commerce of lethal munitions except when movement is arranged for, or on behalf of, the United States of America or an instrumentality thereof;

S. 1470. An act for the relief of Panagiotis Roumeliotis;

S. 1534. An act for the relief of Midori Akimoto, also known as Sharlene Akimoto;

S. 1539. An act to amend an act entitled "An act to provide extra compensation for overtime service performed by immigrant inspectors and other employees of the Immigration Service," approved March 2, 1931;

S. 1566. An act for the relief of Constantin Alexander Solomonides;

S. 1580. An act for the relief of Alevtina Olson and Tatiana Snezhina;

S. 1637. An act for the relief of Doreen Iris Neal;

S. 1639. An act for the relief of Osvaldo Castro y Lopez;

S. 1676. An act for the relief of Helen Sadako Yamamoto;

S. 1681. An act for the relief of Sister Maria Seidl and Sister Anna Ambrus;

S. 1692. An act for the relief of Hilde Schindler and her minor daughter, Edeline Schindler;

S. 1697. An act for the relief of Sister Maria Gasparez;

S. 1715. An act for the relief of Else Neubert and her two children;

S. 1731. An act for the relief of Rhee Song Wu;

S. 1796. An act for the relief of Bruno Leo Freund;

S. 1798. An act granting the consent of Congress to a compact entered into by the States of Oklahoma, Texas, and New Mexico relating to the waters of the Canadian River;

S. 1822. An act to amend the act creating a juvenile court for the District of Columbia, approved March 19, 1906, as amended;

S. 1833. An act for the relief of Barbara Jean Takada;

S. 1836. An act to amend the act approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422), so as to provide for the appointment by the Commissioners of the District of Columbia of special policemen, and for other purposes;

S. 1846. An act for the relief of Misako Watanabe and her daughter, Irene Terumi;

S. 1853. An act for the relief of Hidemi Nakano;

S. 1879. An act for the relief of Ernest Nanpei Ihrig;

S. 1988. An act for the relief of Leslie A. Connell;

S. 2113. An act for the relief of Martha Brak Foxwell;

S. 2147. An act for the relief of Arthur K. Prior;

S. 2149. An act to confer Federal jurisdiction to prosecute certain common-law crimes of violence when such crimes are committed on an American airplane in flight over the high seas or over waters within the admiralty and maritime jurisdiction of the United States;



S. 2150. An act for the relief of Joachim Nemitz;

S. 2199. An act to amend the Contract Settlement Act of 1944 and to abolish the Appeal Board of the Office of Contract Settlement;

S. 2211. An act to amend section 221 (c) of the Interstate Commerce Act in order to clarify certain requirements relating to the designation of persons upon whom process may be served;

S. 2214. An act to amend section 709 of title 18 of the United States Code;

S. 2232. An act for the relief of the Detroit Automotive Products Co.;

S. 2322. An act prohibiting the manufacture or use of the character "Smokey Bear" by unauthorized persons;

S. 2381. An act to amend section 86, Revised Statutes of the United States relating to the District of Columbia, as amended;

S. 2383. An act to amend the act entitled "An act to create a board of accountancy for the District of Columbia, and for other purposes," approved February 17, 1923;

S. 2394. An act to repeal the 10 percent surcharge on postcards;

S. 2408. An act to amend the act authorizing the negotiation and ratification of certain contracts with certain Indians of the Sioux Tribe in order to extend the time for negotiation and approval of such contracts;

S. 2418. An act for the relief of Britt-Marie Eriksson and others;

S. 2440. An act for the relief of Hanne Lore Hart;

S. 2447. An act to amend the Federal Credit Union Act;

S. 2458. An act to correct a typographical error in Public Law 204, Eighty-second Congress, relating to assistant superintendents in the Motor Vehicle Service of the Post Office Department;

S. 2549. An act to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders;

S. 2566. An act for the relief of Niccolo Luvisotti;

S. 2658. An act to amend the act of September 25, 1950, so as to provide that the liability of the town of Mills, Wyo., to furnish sewerage service under such act shall not extend to future construction by the United States;

S. 2667. An act to authorize the Board of Commissioners of the District of Columbia to establish daylight-saving time in the District;

S. Con. Res. 58. Concurrent resolution favoring the suspension of deportation of certain aliens; and

S. Con. Res. 63. Concurrent resolution favoring the suspension of deportation of certain aliens;

#### SPECIAL ORDER GRANTED

Mr. LANE asked and was given permission to address the House for 15 minutes today, following the legislative program and any special orders heretofore entered.

#### SWEARING IN OF MEMBER

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from New York, Mr. ROBERT TRIPP ROSS, be permitted to take the oath of office. His certificate of election has not arrived, but there is no contest and there is no question as to his election.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The Member-elect will present himself to the bar of the House to take the oath.

Mr. ROSS appeared at the bar of the House and took the oath of office.

#### SPECIAL ORDER GRANTED

Mr. JAVITS asked and was given permission to address the House today for 5 minutes, following any special orders heretofore entered.

#### ALIENS ENTERING OR REMAINING IN THE UNITED STATES ILLEGALLY

Mr. WALTER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 1851, with Mr. HERLONG in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read the first section of the bill. Are there any amendments to that section?

Mr. SHELLEY. Mr. Chairman, S. 1851 as we are considering it on the floor today, purports to be an answer to the demand voiced by the Government of Mexico that the United States take decisive steps to close our borders to the flow of Mexican citizens who stream into southwestern United States seeking work on our farms. It purports to comply with the President's demand that our Immigration Service be given the enforcement tools it needs to cope with the hundreds of thousands of so-called wetbacks who cross the Rio Grande and other border points each year to add to our swollen migrant farm-labor population and to fan out into industrial areas throughout the country. S. 1851, in its present form, will do neither of these jobs in the way that they should be done.

As originally introduced in the Senate in S. 1851, and as originally provided in section 274 of H. R. 5678, the omnibus immigration bill which the House will consider shortly, the legislation contained the teeth necessary to really bite into the problem. But, as passed by the Senate, so much dental surgery has been applied that the measure cannot begin to do the job it should do. It cannot begin to clean up the stinking cesspools of human misery which we are now tolerating within our borders. It cannot begin to dry up the traffic in human flesh, the bottomless pool of cheap labor, which is the source of the shameful condition we now have throughout the Southwest; in California, in many of the Southern States, and which continues to spread like a cancer.

This bill now contains no effective search procedure for rooting out illegal aliens. Further, it goes out of its way to make a special exception of the one circumstance and one group which contributes more than anything else to the growth of the vicious peonage system resulting from the swarming of wetbacks into the United States. It is the willful desire to create this miserable peonage that is the cause of our failure to control entry into the country by its potential victims. And it is the very group responsible who are singled out for spe-

cial consideration in S. 1851. I refer to the employers of illegal aliens, for the most part the large farmers of the Southwest who knowingly encourage the traffic and build it up, and now have the temerity to ask that their practices be exempt from penalty, and that their lands not be subject to any effective method of ferreting out the poor humans whom they are exploiting.

It is these large scale farmers who send their emissaries into Mexico to advertise the blessings lying across the border, and even make arrangements for their entry, or who deal with so-called labor contractors—the modern version of the slave trader—to provide them with the number of hands they need and no questions asked. These are the people who use the wetbacks as they need them, pay them little or in some cases nothing, and then turn them out to live in the ditchbanks and to starve. It is their lands which are the scenes of the degrading conditions reported in the press, denounced by the President's Commission on Migratory Labor, and repudiated by every socially conscious group and individual in the country. Theirs are the practices we are here today to do something about. If it were not for them we would have no problem. And yet, if S. 1851 passes the House in its present form, we will have virtually written them, and any chance of forcing a change in their vicious policies, out of the bill.

With the present number of border patrolmen, and with the present limited funds available to the Immigration Service for its operations, we cannot hope to stop up the open sieve the border has become. Our only chance to apprehend and take action against any effective percentage of the great numbers of wetbacks who penetrate beyond the border is to find them where they "hole up" in this country—on the large farms. When information is received as to the presence of wetbacks on any farm, if the Immigration Service cannot move immediately they might just as well not move at all. Limiting free entry to farm lands to a distance of 25 miles from the border, and prescribing exceedingly limited and time consuming search warrant powers in all other areas, effectively hamstringing any chance of cleaning out the concentrations of wetbacks on farms in the interior—the great bulk of those now here. In addition, it makes almost impossible any thought of imposing any penalty upon any employer in those areas no matter how guilty he may be of evading the intent or actually violating the letter of the law. Unless the wetback can be found on the property, and strong evidence of the employer's willful and knowing action to harbor or conceal him can be produced, the proviso of paragraph (4) of section 1, of this bill exempting employment from definition as "harboring," will permit the employer to laugh at the law. And remember that the law is necessary only because of this same employer's activities.

The bill would limit authority to issue administrative search warrants to six officials in the three Immigration Service districts between the Gulf of Mexico and the Pacific coast—an area of thousands



of square miles, and the area now most blighted by the influx of wetbacks. It would limit the search authority to one immigration officer named therein—who, in many cases involving the most flagrant offenders, would have to cover hundreds or thousands of acres. It would limit the use of the warrant to a certain, specified time of the day or night; and it places a 30-day time limit upon the period in which the warrant could be used. Judge for yourself the hopelessness of making any effective use of such a system with all the opportunities for giving warning in advance to the suspected offenders. The time required to prepare evidence, travel possibly hundreds of miles to a district immigration office to secure a warrant and return to make a search, would give ample time for the offending farm or farms to move their wetbacks out or lend them to a neighboring farm long before the enforcement officer could hope to put the warrant into the limited effect possible. The employer would need to remove his wetbacks only for the hour named in the warrant, and could at any other time put them to work in the fields while he laughed at the officer outside the fences. What a farce. It is a well known fact that the associations of large farmers have more than enough friends in a position to know of warrants, as issued, that they need never fear the effects of such a procedure. Until our law enforcement authorities are given power to act immediately on reasonably sufficient information that illegal aliens are employed on any particular farm, and until we provide enough officers to give effective coverage to the large farming sections of the affected areas, we cannot hope to cure the wetback problem and its attendant evils. No law is any better than its enforcement provisions. S. 1851, without more drastic powers for uncovering evidence of violations, would be hardly better than no law at all.

I shall most certainly support any amendment designed to replace the procedures I have outlined. Authorized immigration service officers should not be hamstrung in apprehending illegal aliens whom they have valid reason to believe are in a particular area. They should be provided with the authority to enter farm lands when acting in their official capacities and in the performance of their duty. Without that authority practically the whole of the Southwest becomes a sanctuary within which the authorities are powerless to act effectively.

The bill's proviso that "for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring," is an unnecessary weakening of the purposes of the bill. The long fight which the associations of large farmers waged with the committee to have the proviso included is, in itself, proof of their intention to continue the schemes for obtaining wetbacks which they have accepted as usual and normal practices incident to building up their cheap labor pool. All they want is the cloak of congressional sanction so that they can continue

on their merry way and continue to avoid paying decent wages to the people who harvest their crops. When we consider how such a proviso may be interpreted in practice and in the courts it would be more than unwise to permit it to remain in the bill. It would amount to a mandate from Congress that the farming corporations are a privileged class, and that they may not be interfered with in their pernicious practices. It would be a barefaced admission that our only reason for passing this bill is to throw a sop to the Government and people of Mexico who demand that we do something to clean house before they will permit any more of their contract nationals to cross the border. Mexico is righteously indignant at the conditions under which their people must work and live on the farms of the United States. They recognize that only if we force the corporation farmer to provide decent living conditions and pay decent wages will he do so. They also recognize that as long as the border is open to crossings at will, and as long as a mass of cheap wetback labor is available, conditions will get no better and their contract nationals as well as our native migrant labor will pay the penalty. Writing this protective clause for the employer of wetbacks into S. 1851 simply underwrites the purpose of the large farmer's associations to have Congress pass the kind of a measure which will persuade the Government of Mexico to extend their agreements with the United States to provide a continuing supply of contract nationals, while at the same time doing nothing to jeopardize the supply of wetbacks who can be more easily ground into the dirt from which they squeeze fantastic profits for the corporation farms.

The proviso in paragraph (4) of section 1 of this bill must be stricken out if we are to keep faith with ourselves and with our Mexican neighbors. It must be stricken out as a sign that this Congress is in no mood to temporize with the forces responsible for the human misery spreading through the South, the Southwest, and into other sections of the land. It must be stricken out if we are to raise the intolerable living standards of American farm labor in those areas, and if we are to keep the millions of legitimately run small farms in this country secure from the merciless competition of the corporation farms. We do not want our food supplies brought to us from farms made more fertile by the flesh and blood of ill-fed, ill-housed, and ill-clothed human beings.

There is no reason why the same standards of living cannot prevail among our farm labor population as prevails among our factory workers. No reason save the greed and selfishness of those who are willing to grind people into the ground so that they may grind more profits from it. The factory sweatshops of the 1800's find their counterpart on many of the corporation farms of America today. It is time we legislated them out of existence just as enlightened Congresses legislated the sweatshop out of existence. S. 1851 as it now stands is only a gesture in that direction. If we

give real authority to our Immigration Service officers and eliminate from the bill the free hand given to employers of wetbacks we shall have taken a giant stride.

Mr. Chairman, it is my purpose to move or support amendments which will be offered to strike from S. 1851 the proviso protecting the willful employers of wetbacks, and to revise paragraph (c) of section 1 of the bill so that Immigration Service officers may effectively root the wetbacks out of the farms on which they are hidden in semislavery. I strongly urge my colleagues who value humanity more than the fattened profits of the corporation farmers to do the same.

The bill, unless drastically improved, is a weak approach to a solution of a critical social and international problem. True it is some approach, and any improvement in the present loosely legislated situation is for the better. I hope the bill is made better than it is.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Page 3, line 10, after "officers", strike out "of the United States."

Mr. WALTER. Mr. Chairman, the purpose of this amendment is to make it possible for any law enforcement officer to make an arrest. It is necessary because under the language as contained in the Senate bill the only officers authorized to make arrests are members of the Immigration and Naturalization Service or of the FBI. Now quite obviously it is not always possible to attract the attention of officers of those classifications, and I feel that any law enforcement officer, whose duty it is to enforce the criminal laws, should have the authority under this statute to make an arrest of a felon.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Page 3, line 17, strike out "Issue his warrant" and insert "obtain a warrant under oath from any court of competent jurisdiction."

Mr. WALTER. Mr. Chairman, this amendment is designed to require the Attorney General or his subordinates to obtain a search warrant where it is the intention of these officers to make a search. It is the intention by this language to give jurisdiction to any court of competent jurisdiction, whether it be a State or a Federal court.

Those who argue that it would be very difficult to obtain search warrants in certain sections of the country should bear in mind the fact that in the event that local judges would not issue search warrants, then, upon cause shown, it would be entirely possible for the enforcement officers to obtain the necessary search warrant in the United States courts.

While there is authority, and I believe it is ample authority, for this administrative search warrant, so-called, never-



theless I feel that we ought not to take any chances on running afoul of the provisions of the Constitution. For that reason, I feel that this amendment is necessary.

Mr. HILLINGS. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from California.

Mr. HILLINGS. In the gentleman's opinion, the amendment he is now offering will definitely satisfy the constitutional provision under amendment 4 of the Constitution guaranteeing the right of protection against unlawful and unreasonable search and seizure; is that correct?

Mr. WALTER. Yes; that is correct. There are, of course, precedents for the so-called administrative warrants. The Postmaster General has the authority to issue an administrative search warrant. The Public Health Service has the same authority. However, on examination of the cases I do not find where the constitutionality of either of those statutes has been passed upon. In my judgment, there is a very serious question as to whether or not the language in the Senate bill violates the fourth amendment of the Constitution.

Mr. HILLINGS. In effect, what the gentleman's amendment will do is substitute existing law as codified in rule 41, title 18 of the United States Code, for the language now in section (c) of the bill?

Mr. WALTER. Yes; that is in effect what this language does.

Mr. HILLINGS. I believe the amendment is most worthy of support, particularly at a time when we are concerned about our freedoms in this country. It seems particularly important that we guarantee the protection of those freedoms as outlined in the Constitution.

Mr. WALTER. More than that, I think it is essential that we endeavor to enact legislation that will make it possible to impose a penalty on the most serious offenders in cases of this sort, namely, those people who are willfully and knowingly harboring aliens illegally in the United States.

Mr. HILLINGS. I agree with the gentleman. I think this amendment will make it possible to properly enforce the law as contained in the other sections of the bill.

Mr. FISHER. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Texas.

Mr. FISHER. Will the gentleman again read his amendment? I must have missed part of it.

Mr. WALTER. Mr. Chairman, I ask unanimous consent that the Clerk again read the amendment.

There being no objection, the Clerk again read the amendment.

Mr. FISHER. Is that the only amendment the gentleman proposes to offer to subsection (c) on page 3?

Mr. WALTER. Yes. Then the language would continue, "authorizing the immigration officer named therein,"

meaning the search warrant thus obtained.

Mr. FISHER. Does the gentleman feel that the Constitution authorizes the issuance of a search warrant for going on private property for the purpose of interrogating people, not searching for anything, but just the general interrogation authority?

Mr. WALTER. I actually do not think the search warrant is necessary for that purpose, but in an overabundance of caution, to see that violence is not done to the Constitution, this language has been offered. I feel that under the law where an immigration officer has reason to believe that aliens are illegally on a man's premises he has a right to interrogate those aliens. I do not think any search warrant is necessary.

Mr. FISHER. I am sure if he has probable cause under the proper circumstances he can do it, but I am sure the gentleman would agree that he would be responsible for the abuse of that authority if he did not have proper authority.

Mr. CELLER. Mr. Chairman, I move to strike out the last word, merely possibly to clarify the amendment offered by the gentleman from Pennsylvania.

When the gentleman uses the words "Court of competent jurisdiction" I presume he means a court of record; is that not correct?

Mr. WALTER. That is correct.

Mr. CELLER. By the rules of criminal procedure, rule 41, under the title "Search and Seizure," which rules of criminal procedure were adopted by the Congress under title 28 of the United States Code, we have the following:

Authority to issue warrant: A search warrant authorized by this rule may be issued by a judge of the United States or of a State or of a Territorial court of record, or by a United States Commissioner within the district wherein the property sought is located.

So I think in any future interpretations of this amendment, if it is adopted, and I hope it will be adopted because I am in favor of it, the courts are now instructed (as per the following), at least so far as I am concerned, and if I hear no objection to what I say, the courts are deemed to consider this as the view of the House: That when the words "competent jurisdiction" are used that means a court of record either of the State or of the United States.

Mr. HILLINGS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HILLINGS. Did I understand the gentleman from New York, the distinguished chairman of the Committee on the Judiciary, to refer to the rule, which he has been reading, as title 28 of the United States Code?

Mr. CELLER. No, I was referring to rule 41 of the Rules of Criminal Procedure, which is title 28 of the United States Code.

Mr. HILLINGS. I see. There was a confusion in my mind over the fact that the law as to the issuing of warrants is codified under rule 41, title 18, but the

rule to which you are referring comes under the Rules of Criminal Procedure, is that correct?

Mr. CELLER. That is correct. I just wanted to make this statement so the courts interpreting this amendment will be guided by what we say here.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN of Michigan. Mr. Chairman, I am no doubt laboring under the same disadvantage as many other Members of the House in that we lack time to give this legislation the consideration which it merits. But having the greatest confidence in the judgment and ability of the gentleman from Pennsylvania [Mr. WALTER] and in that of the gentleman from Pennsylvania [Mr. GRAHAM] as well as in like qualities of the gentleman from Texas [Mr. FISHER], I would like to have the gentleman from Pennsylvania [Mr. WALTER] tell me whether this legislation, as now proposed, authorizes anyone other than the courts to issue search and seizure warrants.

Mr. WALTER. The bill, as it passed the other body, authorized the Attorney General to designate certain commissioners in the Bureau of Immigration and Naturalization to issue search warrants. The amendment, which I offer, requires the warrant application to be made under oath to a court of competent jurisdiction.

Mr. HOFFMAN of Michigan. Instead of to an immigration official?

Mr. WALTER. That is correct.

Mr. HOFFMAN of Michigan. Is that the understanding of the gentleman from Pennsylvania [Mr. GRAHAM]?

Mr. GRAHAM. Yes; that is my understanding.

Mr. HOFFMAN of Michigan. Then, that would take care of the objection of the gentleman from Texas; would it not?

Mr. GRAHAM. We think so.

Mr. FISHER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have asked for this time in order to try to get a little more clarification of the import of the pending amendment of the gentleman from Pennsylvania. Is it true under the terms of the pending amendment that the Attorney General or any district director or any assistant director of the Immigration and Naturalization Service would not be permitted to issue a search warrant for any purpose?

Mr. WALTER. Yes; it is very plainly stated. The words are "must obtain a warrant under oath from any court of competent jurisdiction."

Mr. FISHER. When the court issues that warrant it must be based upon probable cause; is that correct?

Mr. WALTER. Certainly; and I do not think that the Immigration Service is going to work under any particular hardship, even in those counties in Texas where judges of the courts are the most flagrant violators of the law. I think



that in those circumstances the immigration authorities can go to the United States courts, and upon proper showing obtain a search warrant, and search premises in which illegal border crossers are being concealed and harbored.

Mr. FISHER. But, under the amendment proposed this warrant would be obtained "upon information indicating a reasonable probability that in any designated land or other property, aliens are illegally within the United States." That language remains in the bill. In other words, it must not be based necessarily upon probable cause at all, but, to quote again, "upon information indicating a reasonable probability." Does not the gentleman think that the language ought to be the same as it is now in the issuance of a warrant for search for stolen property, or other similar offenses under the criminal code? I am afraid this merely gives them a blank check to obtain a search warrant upon a hunch, without any probable cause at all. It is a complete departure from the constitutional protection that has always been recognized in making searches.

The gentleman's reference to the courts is, I can assure you, both unwarranted and unfair.

Mr. WALTER. Well, I do not know whether the gentleman can determine "probable cause" as contained in the fourth amendment to the Constitution from the language contained in this statute. Frankly, I cannot. I have examined authorities. I am sure the terminology is synonymous.

I will confer with the gentleman further regarding that. The gentleman has offered an amendment and he says it has a certain meaning. I want to be sure of that.

Let me ask the gentleman another question. Under the terms of this bill these search warrants, which may be more accurately described as a fishing expedition, have to be returned in 30 days. In other words, the applicant says: "There are some illegal aliens at a certain place at this time." The search warrants are issued and they have 30 days within which to go out and look for them. Does the gentleman think that is a reasonable time?

Mr. CELLER. Mr. Chairman, will the gentleman yield to me on the prior question?

Mr. FISHER. My time is about to expire.

Mr. CELLER. The gentleman can get more time. I would like to read to the committee rule 41, subsection (c):

Warrant shall issue only on affidavits sworn to before a judge or commissioner, establishing the grounds for issuing the warrant. If the judge or commissioner is satisfied that the grounds for the application exist and there is probable cause to believe that they exist, he shall issue the warrant, identifying the property, naming or describing the place or person to be searched.

You have that in the law now.

Mr. FISHER. Is the gentleman agreeable to inserting that in this present bill?

Mr. CELLER. Why have it in this bill? It is now the law. A warrant can only be issued on probable cause.

Mr. FISHER. But you can change laws and amend them and the present bill proposes amendments.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. FISHER. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. The gentleman's position is that this does not in any way affect the main provisions of existing law which he has just read?

Mr. CELLER. It does not.

Mr. FISHER. Is it the gentleman's position, then, that the language which he has put into this bill saying that a search warrant can be issued on information indicating reasonable probability is meaningless, and that it will actually have to be on probable cause? Is that the gentleman's position?

Mr. CELLER. I do not think there is any real difference between the language of the rule I have mentioned and the language of the bill.

Mr. FISHER. I regret that the amendment to the bill before us is not more specific. It provides an improvement in the bill, and I am pleased to have the gentleman's assurance that there will be the same requirement for probable cause in obtaining a search warrant under this bill as would be the case if a warrant were issued for the search of stolen property, for example.

Mr. CELLER. It is very difficult to amend a bill as carefully considered as this has been. These are words of art, legal art, that have been used in the bill. Now, suddenly to come upon us and ask us to change that language—I would want as a result of mere surface thinking to accede to the gentleman's request; so I think it perfectly safe when you have the provisions in rule 41 that the warrant can only be issued upon probable cause; then in addition when you have the safeguards that are in the bill itself, I do not think the gentleman need be concerned at all.

Mr. FISHER. I appreciate the gentleman's solicitude about my concern, but I still am at a loss to understand why the gentleman says that because of the art in which this language was designed and put into this bill there is something sacrosanct about it and it should not be changed to conform to the exact words now in the existing law on other subjects.

One other question I was going to ask the gentleman: I should like to know why the gentleman feels that these general search warrants to look for anybody without any description of the people they are going to look for, without any allegation of what they look like, their names, or anything else, that they are going to use blanket search warrants, general search warrants, and have the right to use them for 30 days without making a report—why wait 30 days to look for a criminal or violator when he is known? The general practice on time for making these reports is 10 days.

Mr. CELLER. The rule now applicable, which is not changed by these

provisions, says that the warrant must identify the property, must name or describe the person or place to be searched. I do not know what more the gentleman wants. That is in the law now.

Mr. FISHER. There is no description whatever in the bill; it does not require the description of any persons they are searching for, none whatever. It is just a fishing expedition; that is what it means. Now, it is all right for them to have the power to search places, but let it be in conformity to established rules and procedures that have always been followed in protecting people against unreasonable searches and seizures.

One further question of the gentleman before I conclude, Mr. Chairman; will the gentleman indicate, if he knows, how long a time is permitted an officer under present law to return a search warrant that is issued for searching for stolen property?

Mr. WALTER. There is no limit.

Mr. FISHER. Oh, yes; it is 10 days.

Mr. WALTER. What is it?

Mr. FISHER. Ten days.

Mr. WALTER. I do not know of any limitation on any Federal search warrant.

Mr. FISHER. Yes; there is, if the gentleman will only read it. Why should we wait for 30 days? That, of course, puts the imprint of blanket authority, a general right to search with absolute freedom and without any restriction and without any immediate anticipation of what they are going to do when it is issued, because they will have 30 days to make the search day after day, night after night, day or night. Why grant it for 30 days? That is a very dangerous departure from every precedent in every law we have ever had. If you know a man is wanted why wait for 30 days to get him? As a matter of fact, why not go out and get him right away? What are they doing waiting 30 days? That in itself raises a question of the good faith of those who obtain warrants under these circumstances.

This bill contains some provisions which every one approves, and I wish some undesirable provisions could be corrected to prevent unwarranted abuse of the authority that is given.

Mr. MORRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to have this matter clarified. Amendment IV to the Constitution reads as follows:

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Now, in reference to the unreasonable search part of it, I take it that what is meant generally is when an officer sees a person in the commission of a crime he has a perfect right to make an arrest and to make a search as an incident to the arrest; also when an officer discovers by seeing, smelling, and so forth that an offense is being committed in his presence he has a right to search as an incident to that arrest. But the Constitution provides, Mr. Chairman, and I re-



peat, that no warrant shall issue but upon probable cause supported by oath or affirmation.

Section (c) on page 3 of this bill provides:

When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability.

It seems to me that is not sufficient under the Constitution of the United States.

I ask, where in section (c) do you find any provision whatsoever that the warrant will issue upon oath or affirmation? How can you pass any law without that provision?

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman from Pennsylvania.

Mr. WALTER. The gentleman was not here when the amendment was read apparently. It provides that it is necessary to obtain a warrant under oath from any court of competent jurisdiction.

Mr. MORRIS. Has that been adopted?

Mr. WALTER. It has not been adopted. It is before the committee at this time.

Mr. MORRIS. I am speaking on that amendment. The amendment ought to be adopted, there is no question about that, else it would be unconstitutional and very dangerous.

This says that the Attorney General or any district director or any assistant director may issue the warrant. Will this amendment take care of that? Does it provide that the warrant can only be issued by a court?

Mr. WALTER. By a court of competent jurisdiction.

Mr. MORRIS. Then we ought to adopt the amendment and that will cure it.

Mr. WILSON of Texas. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman from Texas.

Mr. WILSON of Texas. If the amendment is adopted, will that be sufficient? I am of the opinion it will be. There seems to be some difference of opinion here.

Mr. MORRIS. I would want to study the language and I shall study it immediately. I rather think it will from what the gentleman from Pennsylvania has suggested. I believe it will be sufficient, but I want to study the language before I answer that finally.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WALTER]. The amendment was agreed to.

The Clerk read as follows:

Sec. 2. The last proviso to the paragraph headed "Bureau of Immigration" in title IV of the act of February 27 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

"(2) within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United

States and any railway car, aircraft, conveyance, or vehicle, and within a distance of 25 miles from any such external boundary to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and."

Mr. PHILLIPS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PHILLIPS: On page 4 strike out the words on line 10 beginning with "and within," all of line 11 to and including the words on line 12 ending with "but not dwellings."

Mr. PHILLIPS. Mr. Chairman, the amendment which I have just offered follows the amendment offered by the gentleman from Pennsylvania [Mr. WALTER]. The gentleman from Pennsylvania offers an amendment which requires that a search warrant be secured from a court of competent jurisdiction. That is the proper way to handle the matter.

Now that the first part of the bill has been amended to make it necessary to go to a court of competent jurisdiction, which is correct, and which I was glad to support, it becomes unnecessary to have in the bill this area, this band of 25 miles along the external border. It is discriminatory and it is unnecessary and I hope the gentleman from Pennsylvania will accept the amendment.

What I am striking out are the words "and within a distance of twenty-five miles from any such external boundary to have access to private lands."

This is antagonistic to the basic theory of our Government of the right of a man to have his property, his home—and these are homes as well as farms—free and safe from search except under the provisions of a search warrant procured from a court of competent jurisdiction. That is the intent of the amendment.

Mr. WALTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the adoption of this amendment would mean that we are merely restating existing law. The purpose of this language is to permit the border patrol and the Immigration and Naturalization Service to patrol those vast areas, not any duelling houses, not any buildings, for the purpose of apprehending people who are being surreptitiously brought across the border at points other than the established border crossings. The adoption of this language would make it absolutely impossible for the immigration people to patrol our borders.

It is indeed unfortunate, and I repeat what I said yesterday, that we should consider this as being only a wetback bill. It is not anything of the sort. Those of us along the Atlantic seaboard, it seems to me, are on one side trying to get rid of aliens illegally in the United States, and there are other people here who want to keep them. I should think that the gentleman from California would consider the fact that this is a law now under consideration applying to all parts of the United States. As far as this Border Patrol phase is concerned, there are hundreds and thousands of miles along the borders between the United

States and Mexico and the United States and Canada. Now if our Border Patrol would not have the right to pass freely over that open territory in order to attempt to apprehend these people, then it certainly seems to me that we are not doing our full duty toward aiding the properly constituted officers to enforce the law.

Mr. Chairman, I ask that the amendment be defeated.

Mr. GRAHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it seems to me the first thing we should do in connection with this matter is be properly informed on the law. The fourth amendment to the Constitution has been quoted. Remember what it states, "their persons, houses, papers, and effects." It does not mention the transport of human beings. These human beings that are being imported into this country are not only the so-called wetbacks but others that come across the border in other places. You can locate a paper or the personal effects of an individual, but you cannot locate the individual if he moves around from place to place.

If this amendment were to succeed, instead of the border patrol going right along for 25 miles, they would have to look in and out, in and out, leaving bare great unexplored and uninspected places.

The second thing it seems to me we ought to realize is this: In the case of *Hester v. United States* (265 U. S. 52), the Supreme Court has said:

The amendment does not mean that the lands or premises of a person shall not be searched; these are not included in the term "house."

Note that the lands and premises may be searched.

There is nowhere any provision against an officer searching one's land or premises without a warrant.

That is exactly what these border patrolmen will do. They will search the land without entering the house. Therefore, there is no violation of the fourth amendment.

Finally, let us realize the nature of deportation proceedings. In the case of *Quan Quan Poy v. Johnson* (273 U. S. 352), the Supreme Court held that deportation proceedings are not criminal. All the arguments in the last 2 days we have heard on the authority of the issuance of search warrants have been directed to the fact that they were criminal proceedings. Deportation proceedings are not criminal proceedings. These are intended to get these individuals who have been surreptitiously and illegally brought into this country. We have now the word of the Supreme Court that deportation proceedings are not criminal prosecutions within the meaning of the fifth and sixth amendments.

It is stated:

The authority to deport is drawn from the authority of Congress to regulate the coming of aliens within the United States and to impose conditions upon the performance of which the continued liberty of the alien to reside within the country may be made to depend; and findings of fact reached by executive officials after a fair though sum-



mary hearing may constitutionally be made conclusive.

Now, to crystallize this matter, here is a provision in this bill which provides for a search along a great border, either the Mexican or Canadian border, whatever border it may be, going back for 25 miles, for the purpose of searching the lands, not the houses but the lands, in furtherance of the authority as laid down in the fifth and sixth amendments, of deporting those aliens who have been unlawfully brought into this country. It is not to search the persons, houses, papers, and effects, but to search for aliens illegally within our borders.

There is the whole thing in a nutshell. What we are asking for is not the case of Texas alone, but for the whole border of the United States. In the section around New York it is estimated there are over 200,000 aliens at the present time who have come in in avoidance of the law, who have been gathered up by certain contractors and herded and used for their selfish purposes. The same thing applies along the Canadian border. So, in fixing a law that embraces the whole territorial extent, all of the 18,000 miles of the boundaries of the United States, taking care of all the 48 States, it is necessary that we apply this in a manner that will cover the whole thing.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM. I yield to the gentleman from Connecticut.

Mr. MORANO. The gentleman says a deportation proceeding is not a criminal proceeding?

Mr. GRAHAM. It is so held by the Supreme Court.

Mr. MORANO. Under the proposed law, the harboring of such illegally entered alien would be criminal; is not that so?

Mr. GRAHAM. If it is done with the knowledge that he entered unlawfully, and was being harbored in violation of the law.

Mr. MORANO. There would not be any criminal procedure against the alien who entered, but there would be against the man or woman who harbored him; is that correct?

Mr. GRAHAM. The proceedings would be possible against both in this sense, that while the importation proceedings are not exactly criminal in nature, they are in effect in that the man is to be deported or returned to where he came from. That is to be done on the part of the immigration official. On the part of the individual who has harbored him unlawfully, knowing that he entered unlawfully—and get this chain of thought, as explained yesterday in the Supreme Court decision.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FISHER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment, offered by the gentleman from California. I hesitate to take more of the time of the House, which has already heard quite a bit of explanation from me about the different phases of

this bill today, but since it happens that I represent a district which runs along the Mexican border for some distance. I think I am fairly well acquainted with the situation there.

Mr. Chairman, I would like to explain very briefly what this situation is. I think there is a great deal of confusion about it, and if I can contribute anything toward a better understanding of what we are dealing with, I feel I will be doing my duty here with respect to this proposition.

What is being attempted? A few moments ago there was approved tentatively an amendment to this bill which gave quite a bit of latitude in the issuance of search warrants for the searching for illegal aliens without naming them, or identifying them, or describing them in any way when the search warrant is obtained. That search-warrant provision applies along the 25-mile area. But, they are not satisfied with that. They want authority—blanket authority—a permanent easement, if you please, for all of the immigration officers in the country to have access to people's property to come and go, day or night, any time of the year, any time of the week, over an area of 25 miles from the border for the purpose of patrolling the border. Of course, you have to patrol the border. No one would defend the position that officers should not have reasonable access to the border in order to prevent aliens from coming in who are illegals—of course not—they have that authority now. Several members of the Committee on Agriculture are present on the floor at this time. They had a great deal to do with the foot-mouth disease and the patrol work that goes with it. At one time 660 patrolmen were patrolling the Rio Grande. Did they come to Congress to get blanket authority and a permanent easement to enter land 25 miles from the border in order to patrol that area? Of course not, because they did not need it, they have that authority. The immigration authorities have that same authority now, but they cannot abuse it, they cannot go out miles from the border without any possible recourse to any person for abuses or indiscretions that may be involved in searching over a distance of 25 miles from the border. They must be reasonable about it, and they must not abuse that right. The question was raised about the authority of the patrolmen to go up and down the border under the foot-and-mouth-disease program, under the quarantine. I have a letter here from Dr. Simms, in which he discusses that. Here is what he says in a letter which was written on February 8 of this year. Dr. Simms is in charge of this program, and this is a statement that he made.

Some years ago when a question came up concerning the authority for Bureau of Animal Industry inspectors to enter private property in patrolling the Mexican border, we were advised that although there did not appear to be any specific legislative authority for the entry of our inspectors upon private property for the purpose of patrolling the border to enforce the foot-and-mouth disease quarantine, which such entry is essential to the carrying out of the quarantine, a position of implied authority to enter exists.

And, he said he had the legal authority to do that. The letter reads further as follows:

Under these conditions it was of course desirable that entry of private lands for the purpose of patrol should be made with the cooperation of the property owner.

He went on to say:

However, we have been further advised that if the entry cannot be made with the cooperation of the property owner that the implied authority may be relied upon.

In other words, they have the authority now. There is no question about it. If they have authority to go on property, as he indicates here, to prevent livestock from coming across under the livestock quarantine, certainly the immigration authorities have the implied authority to go along the border for the purpose of patrolling or enforcing the quarantine against illegal aliens coming in. But that authority applies to the border—not to a 25-mile area far removed from the border itself.

There is no question about it. But why should we give them a 25-mile permanent, perpetual easement, to go on property at all hours of the day or night, break down gates if they need to, interfere with livestock, and run roughshod if they so desire—and some of them sometimes are inclined to do that—over that vast area? Why do they not go and get the search warrant they have been fighting for? They can already operate within a reasonable distance of the border under the present law, and this amendment should be adopted. You will still have all the enforcement you need under this law, all that any person could reasonably ask for.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HILLINGS. Mr. Chairman, I rise in support of the amendment, and I yield to the gentleman from California [Mr. PHILLIPS] for a unanimous-consent request.

Mr. PHILLIPS. Mr. Chairman, I observe what it is that is causing the argument over the amendment, which I did not think was that controversial. I ask unanimous consent, at the end of the amendment as I placed it on the desk, that the word "and" may be added.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield further?

Mr. HILLINGS. I yield.

Mr. PHILLIPS. That makes it read in brief "within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States," under the provisions adopted in the previous amendment, "and for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States."

It was not intended to shut off the right to patrol the border under the terms of the act as it presently exists, or under proper patrol. It was my intent, as it was the desire expressed by the gentleman from Texas [Mr. FISHER],



to confine it, not to a 25-mile limit arbitrarily, not to a fixed distance, but only to that necessary area required for patrol. I think this is a desirable and necessary amendment.

Mr. HILLINGS. Would the gentleman read the entire section as it would read with his amendment?

Mr. PHILLIPS—

Within a reasonable distance from any external boundary of the United States, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle and for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States.

Mr. HILLINGS. I thank the gentleman. I think the clarification which the gentleman has made of the amendment to that section shows that there is no intention of preventing reasonable search of border territory in conformity with the operation of the Immigration Service. With that purpose in mind the amendment is worthy of support.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from California.

Mr. HUNTER. On what basis would the arbitrary distance of 25 miles be fixed?

Mr. HILLINGS. Perhaps that question had better be directed to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. The distance of 25 miles was a compromise agreed upon by the proponents and the opponents of the bill. It was a distance arbitrarily selected. In the House omnibus bill it is "reasonable distance," but the objection still exists to the amendment offered by the gentleman from California [Mr. PHILLIPS], because access to private lands is not given. That is the important part of the whole amendment. The amendment offered by the gentleman denies access to private land for patrolling purposes.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BENTSEN. Mr. Chairman, I was born and reared 5 miles from the Rio Grande on the Mexican border. Down there on the Rio Grande in south Texas we feel that our private-property rights are just as sacred and just as much to be preserved as those in the interior of the United States.

If we say we are going to require that search warrants in the interior of the United States be issued by a recognized court, then we along the borders are also entitled to the same right. We have no objection to patrolling the Rio Grande; certainly I would agree to an amendment which left it at 1 mile, because I can see the necessity for patrolling the border, but I believe that the present amendment which sets a 25-mile limit where border patrolmen can come into private property without a search warrant is arbitrary. We will find most border patrolmen are capable and of good judgment but in a force of that size some overzealous border patrolmen will abuse their authority. It would be a very serious thing to have happen to

those border areas. Over in Russia today they have set up an iron curtain and they have condemned the land along the borders for an area of several miles for the purpose of catching people going across. Are we going to do the same thing here in the United States? Are we going to violate private property along the border? Are we who live within 25 miles of the border to be denied the rights that citizens in the interior of the country enjoy? We enjoy our privacy as much as you do yours. This legislation without the proposed amendment is discriminatory.

I know the argument will be made that they can catch them better in 25 miles than they can in 1. That may have been true in years gone by in the horse and buggy days, but in this age of modern transportation a person trying to cross the border and evade the border patrol is not limited to the first 25 miles, for in 30 minutes he can be far into the interior of the United States. I agree that they should have authority to patrol along the Rio Grande to enforce our laws and to enforce the bill; but there is no justification to say that those of us who live as much as 20 or 25 miles away from the border are without private property rights, but when we suddenly reach a patrol line of 25 miles once again regain our rights in our private property.

I know that people who live in the cities sometimes do not realize the situation we along the border are up against, that we too are entitled to the same property rights. We feel just the same about our private lands as they do about their homes, and we do not want a pistol-toting overzealous border patrolman abusing our rights and violating our private interests; and we very sincerely ask the sponsors of this discriminatory legislation to see that we have the same private rights that you have in the interior of the United States, and require that search warrants issued by a recognized court must be obtained before they can invade our private property.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield.

Mr. PHILLIPS. I want to ask the gentleman from Pennsylvania a question, if I may: Where do you read in this bill inability to patrol the immediate area along the border within a reasonable distance from any external boundary for the purpose of patrolling the border to prevent illegal entry?

Mr. WALTER. It was felt by the proponents of this legislation that in view of the action on the part of certain Texans in resisting patrolmen by using sawed-off shotguns, rifles, and what not, that it was necessary to spell out the right to have access, to ride their horses and their jeeps along over private lands, and by eliminating this language "the private lands" if the gentleman's amendment is adopted then the right to patrol the border is certainly limited.

Mr. PHILLIPS. It confines it to a reasonable distance. I might ask where the patrolmen were who were being resisted by the Texans, but I do not think

that has anything to do with the discussion.

Mr. BENTSEN. To some extent, this seems to be aimed at Texans. Let me cite the case of a Texan, Mr. Cavazos had a family living in their home; he had a rather large family, so he had to house some of them in a garage apartment. Early one morning his children were awakened to find some overzealous border patrolmen were shining lights in their eyes without any warrant of any kind. And do not tell me that some of them will not abuse authority if they have it, because I have seen it from past experience. That is why I ask you to see that we have the same protection as the rest of the citizens of the United States have.

Mr. WALTER. Does not the gentleman feel that the language already adopted is sufficient?

Mr. BENTSEN. No; not in the 25-mile limit.

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. WALTER) there were—ayes 53, noes 46.

Mr. WALTER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WALTER and Mr. PHILLIPS.

The Committee again divided; and the tellers reported there were—ayes 76, noes 81.

So the amendment was rejected.

Mr. FISHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FISHER: On page 4, line 10, strike out the words "twenty-five" and insert in lieu thereof "five."

Mr. FISHER. Mr. Chairman, I hope the committee is willing to accept this amendment. In other words, the committee having just acted to refuse to strike out the 25-mile blanket authority provision to all the patrolmen in the service, the pretended purpose and objective of it being to allow them to patrol the border, we now say that it should be at least within a reasonable distance, if that is the position the House desires to maintain. We feel that 5 miles is a reasonable distance. As has been very well pointed out here, property rights, security, the privacy of those who happen to own land within a 25-mile radius of an international border is just as sacred as that owned by people 1,000 miles away over in Michigan, Ohio, or any other place in the Nation. Five miles is enough.

As I have already pointed out, it has been demonstrated by the patrolmen in the foot-and-mouth quarantine disease program along the Rio Grande, that they have no difficulty whatever; that they now have legal, implied authority to patrol the Rio Grande in preventing livestock from coming across. Likewise there is no question but what the immigration officers now have the implied authority against illegal aliens coming



across to go on people's land. They are doing it every day, and all this poppycock here about somebody using a shotgun on somebody, somewhere, at some time, is the kind of a story that could not withstand a very severe cross examination, I am sure. I never heard of such things in all my life, and I have lived down there all my life. I never heard of an instance where immigration officers had any difficulty in patrolling along the river. They have been doing it for 100 years. Now what do they want to do? They just do not want ordinary patrol along the Rio Grande; that is not what they want. The immigration authorities wrote this language, and not the committee. They want authority, a permanent easement for 25 miles, to send their men day or night, 10 and 20 times a day, if they desire, to break down a gate or a fence or anything else in order to carry out their functions of patrolling the border maybe 25 miles away from where an event took place. Now, do you want to give that kind of blanket, unrestricted authority to a large group of people to invade the privacy of people's own land, their own premises? They can get a search warrant, which has already been authorized in this bill, with practically no showing of probable cause. But, let them do it according to law. Let us not give them a permanent easement, a perpetual right, at all hours of the day or night, to go on people's private property, who happen to live in that 25-mile area. I dare say if that authority was extended in your district, in the Middle West, or in the North, or any place else, you sure would be in here fighting this kind of a thing giving them permanent privileges to go on your land day or night. You know, on the ranches in the country of the Rio Grande people raise sheep and goats. During the lambing and kidding seasons—as I have already pointed out in general debate—it is a custom—and a necessary one—to lock the gates and keep even their neighbors out. Just driving through a pasture during those times disturbs the livestock, separates the young animals from their mothers, and heavy losses usually result.

Perhaps that does not mean much to you in the East because your constituents are not affected, but mine are. It is important.

It is not a matter of giving the border patrol the authority to enforce the immigration laws against illegal aliens. They can go along there for a distance of 5 miles without any kind of search warrant. So I beg of you in this instance, at least, let us compromise this particular authorization to bring it within reasonable limitations and put it at a distance of 5 miles. It has already been said that the 25 miles was purely arbitrary, something picked out of a clear sky. It was put in by a compromise and set by somebody over in the other body. Let us take it out by a compromise and, in this body, put it down within reason.

Mr. Chairman, I would like to be able to vote for this bill, but I cannot with these objectionable and unnecessary provisions in it. If the objectionable provisions were removed there would still be ample authority for necessary enforcement of laws against illegal aliens.

Mr. WALTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I personally think that the language should be "reasonable distance," but apparently there is so much opposition to anything as vague as that that I will not propose any amendment. However, we must bear in mind this fact in fixing the limit at 5 miles. These aliens are not congregated close to the border, they are spread way up into the State. It is necessary for our border patrol men to go over the lands leading to the trunk highways. There are many small feeder roads these people get on that the border patrol men never get on. It is essential that the border patrol men be given the authority to go across the lands to get onto those feeder roads to apprehend people on the way up to move over to the trunk highways.

Mr. BENTSEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I will make this short. If the majority of the Committee here today has made up its mind to discriminate against private property rights in border districts, I ask you if you will please cut the discrimination of those property rights from 25 miles to 5 miles. The Border Patrol will be well able to do their job despite that cut. I urge you to support the amendment.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I yield to the gentleman from Oklahoma.

Mr. MORRIS. It is my understanding from the committee, and I should like to have a clarification if it is not true, that the search warrant provision, as adopted by the majority as applicable to section (c) would also apply to clause 2 on page 4.

Mr. BENTSEN. No, that is not my understanding. If that were the case, why would they have the 25 miles?

Mr. FISHER. Mr. Chairman, my attention has just been called to the fact that by inadvertence the amendment I offered proposes to strike the words "twenty-five" from line 9 instead of line 10 on page 4 of the bill. It seems there are two versions of this bill, which has caused the confusion. I ask unanimous consent that my amendment be changed to apply to line 10 instead of line 9.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MCCARTHY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I agree with the committee position that the "reasonable-distance clause" should be retained in the bill. I think we should remember that the border between Texas and Mexico is not the only land border that we are con-

cerned about in this bill; that the whole northern half of the United States borders on Canada. The State of Minnesota, for example, has a northern border, which in some places is entirely swamp land and lake so that over a distance of 25, 50, or 100 miles, it is impossible to adequately patrol the border. I think that the 25-mile limitation is a reasonable compromise, and that it should be retained in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. FISHER].

The question was taken; and on a division (demanded by Mr. FISHER) there were—ayes 38, noes 70.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HERLONG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, pursuant to House Resolution 529, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. FISHER) there were—ayes 162, noes 10.

Mr. FISHER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. FISHER. Mr. Speaker, I withdraw the point of order.

So the bill was passed.

A motion to reconsider was laid on the table.

(Mr. SHELLEY asked and was given permission to insert his remarks in the RECORD immediately preceding consideration of amendments on the bill S. 1851.)

#### RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication:

FEBRUARY 26, 1952.

HON. SAM RAYBURN,  
Speaker, House of Representatives,  
Washington, D. C.

DEAR MR. SPEAKER: I herewith submit my resignation as a member of the Committee on Interior and Insular Affairs to take effect immediately.

Sincerely yours,

SIDNEY A. FINE.



The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

#### ELECTION TO STANDING COMMITTEE OF THE HOUSE

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 535) which I send to the desk.

The Clerk read the resolution, as follows:

*Resolved*, That SIDNEY A. FINE of New York, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on the Judiciary.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### SPECIAL ORDER GRANTED

Mr. McCORMACK. Mr. Speaker, March 4 is the two hundred and fourth anniversary of the birth of Gen. Casimir Pulaski. I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL], after disposition of the legislative business of the day and other matters on the Speaker's desk, may have permission to address the House for 1 hour, and that he may have control of the time and may yield to other Members.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### CORRECTION OF RECORD

Mr. CELLER. Mr. Speaker, on page 1378 the RECORD indicates that I quoted exactly the provisions of the Constitution which confer authority and power on the Congress to legislate. In the form of paragraphs I set forth certain powers delegated to Congress, but as prepared the RECORD reflects improperly what I said in the sense that the RECORD carries as a quotation the statement "Congress shall have the power concerning immigration or importation of persons," and indicating that those words were a direct quotation from the Constitution.

I uttered those words yesterday as an indication only that the Constitution has given the power to Congress concerning the immigration or importation of persons. It was not an exact quotation from the Constitution.

#### NATIONAL SECURITY TRAINING CORPS ACT

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 528 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5904) to provide for the administration and discipline of the National Security Training Corps, and for other purposes. That after general debate, which shall be confined to the bill and continued not to exceed 12 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the

bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COX. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and yield myself such time as I may use.

Mr. Speaker, by way of suggestion to the Committee on the Armed Services, I should like to say that that committee will have to carry the burden of combatting the argument that is being heard in the cloakrooms now that this measure is expected to be used as an Anna Rosenberg social integration scheme.

We are here being called upon to make an important decision. The question is not whether this is the kind of legislation that we want, but it is whether it is the legislation that necessity demands. To make a political issue out of the measure would be a discreditable thing to do. It would be playing fast and loose with the most precious thing we possess, our liberty. To beat our swords into plowshares might be excusable procedure after war has ended and all danger passed, but it would be an act of self-destruction if done in time of deadly conflict. If to make surrender there went with it a reasonable hope of survival, then there might be some excuse for the cowards, but even these should know that to those arrayed against us, mercy and compassion are virtues that are unknown.

Mr. Speaker, we are in the midst of a world conflict between atheistic paganism on the one hand and Christian civilization on the other, and the role that we are playing is by no means inconsiderable. Under the compulsion of the law of self-preservation, we are expending the lives of the young manhood of the country and billions of our national resources, all believed to be necessary to national survival. In making up our minds as to what we should do, it might be well to take into consideration the attitude of those with whom we are at war. Does any one doubt that there is a Communist or a Communist sympathizer who does not want to see this measure fail of adoption? I cast no reflection upon the millions of Christian and right-minded people who oppose compulsory military training. They are so much entitled to their views as I am to mine. I simply think they do not see the picture in its entirety, and therefore do not realize the deadly peril that hangs over our heads—a drawn sword in the iron hand of a spiritual and blood descendant of Genghis Khan.

Is there any doubt anywhere about the designs of Russia? Witness what has happened during the last several years. Latvia, Lithuania, Estonia, Poland, Bulgaria, Rumania, Hungary, Albania, Czechoslovakia, and Eastern Germany have disappeared behind the iron curtain. Witness what Russia has done to China and is attempting to do to India, and what she is doing to undermine the still free governments of Europe and the countries of North and South America. Her minions are everywhere. Her long

and sinewy tentacles are fast drawing into her ravenous maw the entire world.

Are there those who, in the face of this record, still contend that to refer to what has happened and is going on is to try to create hysteria and stampede the adoption of this measure? To those who still doubt, who hesitate, let me ask: Has not Stalin in Korea already "opened the purple testament of bleeding war" in which the flower of our young American manhood is dying? What more is needed that the people realize that the security of all mankind is in peril, that the life of the Republic is in jeopardy? How can we afford to longer rely upon reason and moral suasion? Is it safe to merely hope and pray for the restoration of reason and sanity before we go the way of Poland and the Ukraine?

The fact that we have never lost a war does not mean that we cannot lose one. Ours is a great country, but as mighty and powerful as it is, it is not strong enough to contend with the rest of the world organized against us, which means that it would be suicidal for us to draw within our own shell. We either go forward or we perish.

What of the military power of the Soviet Union? It is widely known that in land power the Russians have 4,000,000 soldiers, with 15,000,000 reservists maintained on a war footing; that she has at her command a million European satellite troops and 4,000,000 highly trained and highly disciplined Chinese. She has more than 50,000 heavy tanks, with a productive capacity of 90,000 annually, and is capable of producing 350,000 pieces of artillery annually. A year ago Russia could produce 900,000 machine guns each year, and had the expectation of increasing this to 1,350,000 annually. It is estimated that by 1955 she can produce 15,000,000 small arms annually and 22,000,000,000 bullets annually—and here I should like to point out that we never approached these figures in the peak of our production in World War II—and, what is extremely important, it can be done with half as much steel as is available to America.

The Russian ground forces are exceedingly formidable and will become steadily more so as time passes on. Their armored vehicles are excellent; the tenacity of their soldiers is superb; their numbers are tremendous; and their geographical location in the heartland of Europe and Asia gives them an impressive strategic advantage, especially since, from the Russian viewpoint, Western Europe is little more than a peninsula extending from Russia proper—but a peninsula which will more than double Russian production if it falls into Russian hands—a production which, added to Russia's, would overwhelm even the vaunted industrial might of America and make our doom follow as surely as day follows night.

As to Russian aerial strength, it is estimated that they have from 25,000 to 30,000 aircraft, with a potential annual production of approximately 80,000. This can be increased to approximately 120,000 annually by 1955, even though we thought our top aircraft production of 96,000 annually in the last war was









# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued Feb. 29, 1952

For actions of Feb. 28, 1952

82nd-2nd, No. 31

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

### CONTENTS

|                             |                             |                            |
|-----------------------------|-----------------------------|----------------------------|
| Adjournment.....7           | Legislative program.....6   | Prices.....11              |
| Agricultural imports....16  | Metals.....14               | controls.....18            |
| Electrification.....19      | Military training.....8,20  | farm.....4                 |
| Electrification, rural....2 | Organization, legislative15 | support.....16             |
| Foreign affairs, aid....17  | Personnel.....5,9           | Territories and            |
| Import controls.....12,16   | Poultry.....4               | possessions.....3,10       |
| Labor, farm.....1           |                             | Trade, foreign....12,14,16 |

**HIGHLIGHTS:** Senate asked for conference on wetbacks-entry bill. House debated military-training bill. House committee reported bill for loyalty investigations by CSC. Sen. Butler, Nebr., commended REA program.

### SENATE

1. **FARM LABOR.** Sens. Kilgore, Eastland, Magnuson, Ferguson, and Jenner were appointed conferees on S. 1851, to assist in preventing aliens from entering or remaining in the U. S. illegally (p. 1602). House conferees have not yet been appointed.
2. **RURAL ELECTRIFICATION.** Sen. Butler, Nebr., commended the rural-electrification program and especially its accomplishments in Nebr. during recent years (pp. 1613-14).
3. **PUERTO RICO.** Sen. Johnston, S. C., criticized the Interior Department for not appointing a coordinator of Federal agencies in Puerto Rico, pursuant to a recent law, although he also inserted Interior's letter explaining the matter. Several other Senators discussed the situation. (pp. 1615-18.)
4. **EGG PRICES.** Sen. Langer inserted a USDA letter which he has received regarding egg prices and criticized a statement in the letter to the effect that prices generally reach their low point in Feb. and Mar. (p. 1602).
5. **PERSONNEL.** Sen. Langer submitted amendments which he intends to propose to S. 354, to amend existing law regarding overtime pay and holiday employment (p. 1602).
6. **LEGISLATIVE PROGRAM.** No action was taken on Sen. McFarland's motion to consider the tidelands-oil bill. Several Senators insisted that the Hawaii statehood bill be considered instead. Sen. McFarland said, "I understand that a motion may be made to reconsider the vote by which the Senate agreed to...recommit... the Alaska statehood bill." (p. 1618.)
7. **RECESSED** until Mon., Mar. 2 (p. 1627).

HOUSE

8. MILITARY TRAINING. Continued debate on H. R. 5904, the universal military training and service bill (pp. 1631-54).
9. PERSONNEL. The Post Office and Civil Service Committee reported without amendment S. 2077, to provide for loyalty investigations by the Civil Service Commission in lieu of the FBI (H. Rept. 1449) (pp. 1657-8).
10. PUERTO RICO. Rep. Flood, Pa., criticized the regulations and "loosely interpreted laws" pertaining to Puerto Rico and objected to "irresponsible" expenditure of American taxpayers' money by the administration of Puerto Rico. He said that if the present policy of luring industry to Puerto Rico from New England and the South by ~~sax~~ exemption and low wages continues, Congress should reexamine its political and economic responsibilities to Puerto Rico. (pp. 1656-7.).
11. PRICES. The "Daily Digest" states that "a subcommittee of the Judiciary Committee decided to report out a bill to extend the fair-trade laws to nonsigners. The exact language of the proposed bill was not determined." (p. D148.)

BILLS INTRODUCED

12. IMPORT CONTROLS. H. R. 6843, by Rep. Ramsay, W. Va., to establish quotas on the importation of certain articles and products containing raw materials with respect to which priorities have been established or allocations made under the Defense Production Act of 1951; to Banking and Currency Committee (p. 1658).
13. FLOOD CONTROL. H. R. 6844, by Rep. Thompson, Mich., directing a survey, examination, and recommendation for flood control and drainage projects in the Ninth Congressional District of Mich.; to Public Works Committee (p. 1658).
14. METALS. H. R. 6845, by Rep. Walter, Pa., to continue until the close of June 30, 1953, the suspension of duties and import taxes on metal scrap; to Ways and Means Committee (p. 1658).
15. LEGISLATIVE REORGANIZATION. H. Con. Res. 201, by Rep. Celler, N. Y., to establish a Joint Committee on the Organization of the Congress; to Rules Committee (p. 1658).

ITEMS IN APPENDIX

16. AGRICULTURAL IMPORTS. Sen. Thye inserted a letter from M. W. Thatcher, general manager of the Farmers Union Grain Terminal Association, criticizing the import of agricultural commodities from Canada on which a price-support is in effect in the U. S. (pp. A1287-8).
17. FOREIGN AID. Rep. Reed, N. Y., inserted a Buffalo (N.Y.) Evening News article, "Why United States Aid to Europe Is a Failure" (pp. A1280-1).
18. PRICE CONTROLS. Rep. Poulson, Calif., inserted a letter from a staff member of Food Topics magazine explaining the background of an article published by them on the OPS price-testing program (p. A1298).
19. ELECTRIC POWER. Rep. Miller, N. Y., inserted a N. Y. State Association of Electrical Workers resolution, a Sidney (N. Y.) Chamber of Commerce resolution, and a Beaumont (Calif.) Gazette article favoring the hydroelectric potential of Niagara Falls by private enterprise (pp. A1280, A1281-2, A1283).





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 82<sup>d</sup> CONGRESS, SECOND SESSION

Vol. 98

WASHINGTON, THURSDAY, FEBRUARY 28, 1952

No. 31

## Senate

(Legislative day of Monday, February 25, 1952)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. F. Norman Van Brunt, associate pastor, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Almighty God our Father, who art filled with compassion and tender mercy toward us, we thank Thee that each day is a new beginning. In its possibilities we revel, for its potential blessings we are grateful, and even in its problems we see the benefits of Thy hand. Throughout its hours may we think with diligence and act with dispatch that, whatever may come of bane or blessing, we may be qualified in spirit to meet it as men and triumph through it or over it as we serve our fellow men. Amen.

### THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 27, 1952, was dispensed with.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 382) to provide for setting aside an appropriate day as a National Day of Prayer, in which it requested the concurrence of the Senate.

### LEAVE OF ABSENCE

On request of Mr. WILLIAMS, and by unanimous consent, Mr. AIKEN was excused from attendance on the sessions of the Senate today and tomorrow.

### COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. HOEY, and by unanimous consent, the Subcommittee on Investigations of the Committee on Expenditures in the Executive Departments was authorized to hold a hearing this afternoon during the session of the Senate.

### CALL OF THE ROLL

Mr. McFARLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McFARLAND, Mr. KEM, Mr. CAIN, and Mr. KILGORE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Arizona is recognized.

### TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, yesterday evening when I made the motion to recess I offered to yield to the distinguished Senator from Missouri [Mr. KEM] for 5 minutes, or a reasonable time. He evidently did not hear the "reasonable time." My reason for not yielding the floor at that time was that three Senators who were present were under the care of physicians. I knew that the motion to take a recess would be resisted, and that a vote would be necessary. I am perfectly willing that the Senator from Missouri shall have the floor. I think he is entitled to the floor to make his speech. I wish to be fair at all times with Senators on both sides of the aisle.

Before the Senator from Missouri speaks, if he does not object, I should like to ask unanimous consent that Senators be permitted to make insertions in the Record and to transact other routine business, without debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### PROPOSED GARRISON RESERVOIR ROAD RELOCATION—RESOLUTION OF BOARD OF COUNTY COMMISSIONERS, WILLIAMS COUNTY, N. DAK.

Mr. LANGER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the Record, a resolution adopted by the Board of County Commissioners of Wil-

liams County, Williston, N. Dak., favoring in principle the proposed Garrison Reservoir road-relocation plan.

I call attention to the fact that if the dam is left at the high level, it will mean that the city of Williston will have to be diked in order to keep it from being flooded.

There being no objection, the resolution was referred to the Committee on Public Works and ordered to be printed in the Record, as follows:

### RESOLUTION

Whereas the Corps of Engineers has proposed a program of relocation of roads in the areas of Williams County to be affected by the operation of the reservoir of the Garrison Dam; and

Whereas a substantial portion of such program will be required by a maximum normal operating pool level of 1,830 feet above sea level; and

Whereas the proposed relocation program will be implemented by the Federal Government substantially without any cost whatever to Williams County, and such program is compatible with a maximum normal operating pool level of 1,830 feet above sea level; and

Whereas we have heretofore, on several occasions, expressed our steadfast opposition to the operation of the maximum normal pool level of such reservoir at an elevation higher than 1,830 feet above sea level; and Whereas we stand firm in our conviction that a higher maximum normal pool level of such reservoir is wholly unnecessary and is detrimental to the interests of this area and should be vigorously opposed; and

Whereas we believe the proposed road-relocation program will materially improve the system of county highways in Williams County and thereby reduce road-building expense to Williams County: Now, therefore, be it

Resolved by the Board of County Commissioners of Williams County, N. Dak., That we do hereby approve in principle the Proposed Garrison Reservoir road-relocation plan submitted by the Corps of Engineers, but without obligation on the part of Williams County to contribute financially to the construction phases thereof, and without withdrawing our firm and unaltered opposition to the operation of the maximum normal pool level of such reservoir in excess of 1,830 feet above sea level; and be it further

Resolved, That a copy of this resolution be mailed to the Senators and Representatives in Congress from the State of North Dakota and to the district office of the Corps of Engineers.



## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER of Nebraska:

S. 2760. A bill for the relief of Tokuko Kobayashi and her minor son; and

S. 2761. A bill for the relief of Norma J. Roberts; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 2762. A bill for the relief of Pedro Gio-coechea Bengoechea; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2763. A bill for the relief of Harry Ray Smith; to the Committee on the Judiciary.

By Mr. SCHOEPPLE:

S. 2764. A bill for the relief of Ellenor Carola Jones; to the Committee on the Judiciary.

## COMPENSATION FOR OVERTIME AND HOLIDAY EMPLOYMENT—AMENDMENTS

Mr. LANGER submitted amendments intended to be proposed by him to the bill (S. 354) to amend Public Law 106, Seventy-ninth Congress, with regard to compensation for overtime and holiday employment; which were referred to the Committee on Post Office and Civil Service, and ordered to be printed.

## HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 382) to provide for setting aside an appropriate day as a National Day of Prayer, was read twice by its title, and referred to the Committee on the Judiciary.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. CAIN:

Address delivered by him before the Industrial Conference Board, Tacoma, Wash., on February 25, 1952.

By Mr. THYE:

Letter addressed to him by the general manager of the Farmers Union Grain Terminal Association with respect to the importation of certain agricultural commodities.

By Mr. LEHMAN:

Copy of letter written by Harold F. Hohly, rector of Christ Church, Bronx, N. Y., to Daniel E. Woodhull, Jr., on the subject of Americanism.

By Mr. WILEY:

Resolution of the Association of Wisconsin County Highway Commissioners relating to the use of structural steel in highway construction.

Booklet by E. J. Reid entitled "Why We Should Vote in All Elections."

## PREVENTION OF ILLEGAL ENTRANCE OF ALIENS

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, which were, on page 3, lines 8 and 9, strike out "of the United States", and on page 3, line 15, strike out "issue his warrant" and insert "obtain a warrant under oath from any court of competent jurisdiction."

Mr. KILGORE. Mr. President, I move that the Senate disagree to the amendments of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon,

and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to.

The PRESIDENT pro tempore. The Chair will appoint the conferees on the part of the Senate later today.

Subsequently, the President pro tempore appointed Mr. KILGORE, Mr. EASTLAND, Mr. MAGNUSON, Mr. FERGUSON, and Mr. JENNER conferees on the part of the Senate.

## PRICES OF EGGS AND FEED

Mr. LANGER. Mr. President, for some time I have been reading letters into the RECORD showing that the farmers in the Northwest are not getting adequate prices for their eggs. I took the matter up with the Department of Agriculture to find out why the farmers were not getting at least parity for their eggs. I have received the following letter, under date of February 19:

DEPARTMENT OF AGRICULTURE,  
Washington, February 19, 1952.

Hon. WILLIAM LANGER,  
United States Senate.

DEAR SENATOR: This is in reference to a letter from Mr. Edward Matzke, Marion, N. Dak., which you inserted in the CONGRESSIONAL RECORD of February 7. Mr. Matzke writes of low farm prices for eggs and high prices for feed.

During January prices of eggs in all parts of the country averaged 81 percent of parity which is about the same percentage of parity that existed in January 1951. In February or March farm prices generally reach their low point of the year. It is hoped that some improvement in farm prices will soon take place as the demand for eggs for storage purposes, in shell and frozen form, and for hatching purposes increases.

The low egg prices now being received are of particular concern to poultrymen because of the relatively high level of feed prices. It is unlikely that the price of feed will decline in the near future, perhaps not until after the harvest of 1952, and then only if the harvest is a plentiful one.

We are making a day-to-day study of trends in egg and feed prices. As yet, however, no decision has been made with respect to the removal of surplus eggs in 1952.

Sincerely yours,

K. T. HUTCHINSON,  
Assistant Secretary.

I wish to invite the attention of the Senate to the fact that the distinguished Assistant Secretary is mistaken as to the price of eggs being low at this time of year. As a matter of fact, all over the Northwest farmers get more for their eggs in the winter time than they do in the summer. I wish particularly to call this letter to the attention of the distinguished junior Senator from New Hampshire [Mr. TOLBY], who stated the other day that he thought egg prices were about right.

## MINERAL LEASES ON CERTAIN SUBMERGED LANDS

The Senate resumed the consideration of the motion of Mr. McFARLAND that the Senate proceed to the consideration of Senate Joint Resolution 20, to provide for the continuation of operations under certain mineral leases issued by the respective States covering submerged lands of the Continental Shelf, to encourage the continued development of such leases, to provide for the protection of the interests of the

United States in the oil and gas deposits of said lands, and for other purposes.

## ORDER OF BUSINESS

Mr. BUTLER of Nebraska. Mr. President, I ask unanimous consent to address the Senate for 2 minutes.

Mr. KEM. Mr. President, I understood that I was to have the floor today.

The PRESIDENT pro tempore. That is correct. The Senator from Missouri will be recognized when the transaction of routine business has been concluded. Does the Senator from Missouri object to the request of the Senator from Nebraska?

Mr. KEM. Other Senators have made similar requests. I cannot accede to the request of my friend, the Senator from Nebraska, unless I similarly agree to yield to my friend, the Senator from Delaware [Mr. WILLIAMS]. I would prefer to proceed, and ask that the distinguished Senator from Nebraska follow me with his remarks.

## PEACE OR MORE WAR

## 1. THE TYRANNY OF A MAJORITY

Mr. KEM. Mr. President, Mr. Truman, on June 27, 1950, announced that he had ordered American forces into war in Korea. He had the power to do so, but he did not have the right.

Yesterday, February 27, 1952, 1 year and 8 months to the day after Mr. Truman's action, the majority leadership had the power to impose gag rule in the Senate Chamber, but it did not have the right.

The Senator from Connecticut [Mr. McMAHON] had made certain sarcastic observations pertaining to me. Fair play demanded that I be given an opportunity to answer. Yet immediately after the Senator from Connecticut had concluded, the Senator from Arizona [Mr. McFARLAND] proceeded to choke off further debate. He had the power to do so, but not the right. Right and truth are greater than power. All power is limited by right.

Government by a chosen few—a palace guard from the ranks of the Senate—is an oligarchy. It is not a republic.

The beautiful monument to Thomas Jefferson on the shore of the Tidal Basin here in Washington is visited each year by thousands of our people. Engraved there in unperishable marble are the words:

I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man.

These words were spoken by Mr. Jefferson early in his career. How steadfastly he adhered to this concept is known by all who are interested in our history and our institutions.

It is of no importance that yesterday in the Senate I felt the whiplash of the tyranny of a majority. It is of great importance for the American people to know to what extent what was formerly the party of Mr. Jefferson has departed from his teachings, and the consideration for the rights of others, that so long characterized its leadership.

One hears that the shrine of the Democrat Party has recently been moved from Monticello to the Hermitage. If









# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued March 5, 1952  
For actions of March 4, 1952  
82nd-2nd, No. 34

### CONTENTS

|                         |          |                            |      |                      |      |
|-------------------------|----------|----------------------------|------|----------------------|------|
| Alaska Statehood.....   | 23       | Flood Control.....         | 3    | Nomination.....      | 10   |
| Appropriations.....     | 4        | Foreign Aid.....           | 7    | Peanuts.....         | 5,11 |
| Budgeting.....          | 23       | Forest Products.....       | 21   | Personnel.....       | 6    |
| Committee.....          | 14       | Grain Storage.....         | 18   | Purchasing.....      | 17   |
| Consumers' Council..... | 15       | Labor, Farm.....           | 2    | River Basin De-      |      |
| Cotton.....             | 12       | Legislative Program.....   | 4,8  | velopment.....       | 27   |
| Electric Power.....     | 20       | Legislative Reorganization | 14   | Taxation.....        | 9,22 |
| Farm Prices.....        | 11,12,26 | Military Training.....     | 1,19 | Transportation.....  | 16   |
|                         |          |                            |      | Veterans' Benefits.. | 13   |

**HIGHLIGHTS:** House recommitted military training bill. House sent wetbacks-entry bill to conference. House subcommittee reported bill to repeal provision permitting CCC purchase for oil of peanuts in excess of marketing quotas. Senator Johnston reported on study of Federal manpower policies.

### HOUSE

- MILITARY TRAINING.** By a 236-162 vote, recommitted to committee H. R. 5904, the universal military training and service bill (pp. 1849-85).
- FARM LABOR.** Reps. Celler, Walter, and Graham were appointed House conferees on S. 1851, to assist in preventing aliens from entering or remaining in the U. S. illegally (p. 1845). Senate conferees were appointed Feb. 28.
- FLOOD CONTROL.** The Flood Control Subcommittee of the Public Works Committee approved, for reporting to the full committee, review resolutions for Wolf River, Tenn.; Kikosing River, Ohio; Zumbro River, Minn.; Yadkin-Pee Dee River, N. C. and S. C.; and various Missouri Basin watersheds (p. D168).
- LEGISLATIVE PROGRAM.** The Majority Leader announced that there is no further program for this week and that the deficiency appropriation bill will probably be debated Tues. (p. 1885).

### SENATE

- PEANUTS.** The Agriculture and Forestry Committee reported without amendment S. 2697, to amend the Agricultural Adjustment Act of 1938 so as to repeal the provision authorizing CCC to purchase for crushing for oil, a diversion program, or for seed peanuts grown in excess of marketing quotas (S. Rept. 1254) (p. 1813).
- PERSONNEL.** Sen. Johnston reported on the findings to date of the Subcommittee of the Post Office and Civil Service Committee in its study of Federal manpower policies. He reported specifically on reduction-in-force procedures, utilization of manpower in the Department of Defense, methods in Government for select-

ing supervisors, the incentive-awards program, the effectiveness of the Whitten amendment, and procedures for recruiting and selecting personnel. He said the shortcomings in the Federal personnel system stem from three main causes: "Obsolete and cumbersome procedures, lack of sufficient incentives for administrators and supervisors to economize, and the failure of the executive branch to develop and plan a comprehensive manpower budget."

Some of his conclusions in the specific studies are as follows: Lay-off procedures. The costs of laying off Government workers are excessive; the Government is losing many of its most efficient and highly skilled workers; supervisors resist economy in the use of manpower due to the adverse effect of the lay-off procedures on the operating efficiency of their units; the bumping process often amounts to the restaffing of any agency by reassigning employees to new jobs; the Government often cannot attract new employees, or rehire former workers, as a result of its reduction-in-force policies.

Selecting supervisors. The Government is not obtaining the best available personnel for supervisory positions because the factors emphasized in selection are such that supervisory potential is often overlooked; seniority has been unduly emphasized; there is a tendency to fill supervisory vacancies from within the particular section in which the vacancies occur; and undue emphasis has been placed on the personal knowledge of a candidate.

Whitten amendment. "Our inquiry to date convinces us that a real question has been raised as to whether the Whitten amendment has provided a barrier to the effective utilization of personnel." "The preponderance of opinion expressed by Federal personnel officials and union officials is that the Whitten rider should be repealed."

Recruiting and selecting personnel. Field recruiting is expensive and there has been overlapping coverage in the same areas by various traveling recruiting teams; personalized recruiting (supervisors relying on their personal contacts) restricts competition to a chosen few and brings with it "the danger of personal patronage;" and a number of agencies have indicated reluctance to rely upon Commission registers as their source of new personnel.

7. FOREIGN AID. Vice President Barkley inserted a letter he had received from the President urging Congress to authorize additional U. S. contributions of up to \$12,000,000 for the U. N. Children's Emergency Fund, fiscal year 1953 (p. 1812).
8. LEGISLATIVE ACCOMPLISHMENTS. Sen. Lehman reviewed the accomplishments of the Democratic Party in the past 19 years, and Sen. Carlson inserted a statement on the contributions of the Republican Party (pp. 1816-23).
9. TAXATION. Received a Mass. Legislature memorial urging Congress to place a ceiling on the Federal Government's power to impose taxes (p. 1813).
10. NOMINATION. Confirmed the nomination of Watson B. Miller to be a member of the Subversive Activities Control Board (p. 1844).

#### BILLS INTRODUCED

11. PEANUTS. H. R. 6893, by Rep. Wickersham, Okla., to provide for a minimum price support for the 1952 crop of peanuts at 90 percent of parity; to Agriculture Committee (p. 1890).
12. COTTON. H. R. 6894, by Rep. Wickersham, to increase the minimum price support for the 1952 crop of cotton; to Agriculture Committee (p. 1890).
13. VETERANS' BENEFITS. H. R. 6895, by Rep. Rankin, Miss., to provide readjustment benefits to certain persons who served in the Armed Forces on or after June 27, 1950, and prior to such date as shall be fixed by the President or the Congress



# House of Representatives

TUESDAY, MARCH 4, 1952

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou God of eternal wisdom, justice, and righteousness, there has been placed upon us the inescapable responsibility of deciding which is the best way to defend our beloved country and preserve the peace of the world.

We humbly and penitently confess that we are confused. We are greatly perplexed and disturbed. There is an honest difference of opinion among us. We are crediting one another with sincerity. Many of our constituents and those whose judgment we value have voiced their views but we are not yet sure how to vote wisely and rightly.

Grant that we may now in all faith and humility submit our proposals and disputes and differences to the high court of heaven and the Supreme Judge of all mankind, beseeching Thee to illumine and inspire and direct us by Thy divine spirit.

Help us to believe that when statesmanship and human ingenuity have done their utmost and their very best that then we must still hold our decision in abeyance until Thou has declared Thy will.

We pray that the day may be hastened when all our decisions are made with Thy divine approval, and shall appeal to the best judgment of our fellow citizens. Hear us in the name of the Prince of Peace. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## TO ASSIST IN PREVENTING ALIENS FROM ENTERING OR REMAINING IN THE UNITED STATES ILLEGALLY

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally. I insist on the House amendment, and agree to the conference asked by the Senate, and that the Chair appoint conferees.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CELLER, WALTER, and GRAHAM.

## CORRECTION OF ROLL CALL

Mr. BATES of Kentucky. Mr. Speaker, on roll call No. 14, I am recorded as being absent. I was present and voted "ay" and ask unanimous consent that the Record be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

## SPECIAL ORDERS GRANTED

Mr. MASON asked and was given permission to address the House for 30 minutes on Monday, March 17, St. Patrick's Day, following the legislative program and any special orders heretofore entered.

Mr. JACKSON of California asked and was given permission to address the House for 30 minutes on Thursday next, following the legislative program and any special orders heretofore entered.

## PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

## MASTER SGT. ROBERT A. ESPE

The Clerk called the bill (H. R. 1796) for the relief of Master Sgt. Robert A. Espe.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert A. Espe, master sergeant, United States Air Force, the sum of \$15,000. The payment of such sum shall be in full settlement of all claims of the said Robert A. Espe against the United States on account of the death of his wife, Joyce Marilyn Espe, and his infant son, Victor Robert Espe, on January 26, 1950, while passengers in an Air Force plane which disappeared after leaving Elmendorf Air Base at Anchorage, Alaska: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## MARY OSADCHY

The Clerk called the bill (H. R. 3561) for the relief of Mary Osadchy.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Osadchy, of Max, N. Dak., mother of the late Staff Sgt. Vincent V. Osadchy, the sum of \$2,161, representing the difference between the amount of death-compensation benefits she would

have received had application been filed therefor on November 30, 1944, the presumed date of death of her son, and the balance retained by her of amounts improperly paid through error of the Finance Department, United States Army, in connection with family allowance payments.

Sec. 2. Any liability to the United States arising out of payments erroneously made to the said Mary Osadchy is hereby canceled.

Sec. 3. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 7, strike out beginning with "\$2,161" down to and including the word "payments" on page 2, line 2, and insert "\$1,426, which represents a like amount refunded by her to the United States on account of erroneous family allowance overpayments made to her by the Finance Department, United States Army."

Page 2, strike out lines 7, 8, and 9 and insert:

"Sec. 2. Any liability to the United States arising out of payments of family allowance erroneously made to the said Mary Osadchy is hereby canceled."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## LOUIS R. CHADBOURNE

The Clerk called the bill (H. R. 6264) for the relief of Louis R. Chadbourne.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis R. Chadbourne, of Medford, Mass., the difference between the amount of retired pay to which he would have been entitled during the period in question and the amount of the disability compensation benefits he received during the same period. The payment of such sum shall be in full settlement of all claims of the said Louis R. Chadbourne against the United States for retroactive retirement pay from November 19, 1945, the date of his separation from active service, to March 1, 1949, the date on which he was actually placed on the retired list of the Navy: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violat-



ing the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEXANDER NEWMAN

The Clerk called the bill (H. R. 6414) for the relief of Alexander Newman.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER and Mr. D'EWARD objected; and, under the rule, the bill was recommended to the Committee on the Judiciary.

SAMUEL THOMAS WONG

The Clerk called the bill (H. R. 4067) for the relief of Samuel Thomas Wong.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the alien, Samuel Thomas Wong, the minor, unmarried child of Samuel Eugene Wong, a citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANN TOBAK AND JOHN TOBAK

The Clerk called the bill (H. R. 4152) for the relief of Ann Tobak and John Tobak.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor children Ann Tobak and John Tobak, of Livno, Bosna, Sedevice, Yugoslavia, shall be held and considered to be the natural-born alien children of Mr. and Mrs. Philip Tobak, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAZEL SAU FONG HEE

The Clerk called the bill (H. R. 4220) for the relief of Hazel Sau Fong Hee.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the alien Hazel Sau Fong Hee, the minor unmarried child of Alexander Chong Hee and Isabelle Wong Hee, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MINGLAN HAMMERLIND

The Clerk called the bill (H. R. 4397) for the relief of Minglan Hammerlind.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Minglan Hammerlind, shall be held and

considered to be the natural-born alien child of Miss Elsa Hammerlind, citizen of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAGAKUBO (ALSO KNOWN AS ROY MERVIN NELSON)

The Clerk called the bill (H. R. 4691) for the relief of Nagakubo (also known as Roy Mervin Nelson).

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Nagakubo (also known as Roy Mervin Nelson), the minor child of Roy M. Nelson, a United States citizen, may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PATRICIA ANN HARRIS

The Clerk called the bill (H. R. 4772) for the relief of Patricia Ann Harris.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that Act, the minor child, Patricia Ann Harris, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Crystal C. Harris, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YOKO TAKEUCHI

The Clerk called the bill (H. R. 4788) for the relief of Yoko Takeuchi.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding any provision of law excluding from admission to the United States persons of races ineligible to citizenship, the alien Yoko Takeuchi, a minor half-Japanese child under the care of Mr. and Mrs. Harry Tokomura, both citizens of the United States residing temporarily in Japan, shall be held and considered to be the natural-born child of the said Mr. and Mrs. Harry Tokomura.

With the following committee amendment:

Strike out all after the enacting clause, and insert: "That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child, Yoko Takeuchi, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Harry Tokomura, citizens of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RODNEY DREW LAWRENCE

The Clerk called the bill (H. R. 5187) for the relief of Rodney Drew Lawrence.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, in the administration of the immigration laws, the provisions of section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Rodney Drew Lawrence, adopted Japanese minor child, and the said Rodney Drew Lawrence shall be held and considered to be the alien natural-born child of Sgt. (1c) and Mrs. W. A. Lawrence, United States citizens.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN MICHAEL JURECEK

The Clerk called the bill (H. R. 5297) for the relief of John Michael Jurecek.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding any provision of law excluding from admission to the United States persons of race ineligible to citizenship, John Michael Jurecek, a minor child under the care of Tech. Sgt. and Mrs. Forrest C. Jurecek, both citizens of the United States residing temporarily in Japan, shall be held and considered for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, to be the natural-born alien child of the said Tech. Sgt. and Mrs. Forrest C. Jurecek.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That, for the purposes of sections 4 (a) and 9, of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child, John Michael Jurecek, shall be held and considered to be the natural-born alien child of Tech. Sgt. and Mrs. Forrest C. Jurecek."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KAZUMI YAMASHITO

The Clerk called the bill (H. R. 5322) for the relief of Kazumi Yamashito.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provision of section 13 (c) of that act, the minor child, Kazumi Yamashito, shall be held and considered to be the natural-born alien child of Tech. Sgt. and Mrs. Edward W. Gentry, citizens of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOTOKO SAKURADA

The Clerk called the bill (H. R. 5437) for the relief of Motoko Sakurada.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Motoko Sakurada, the minor child of Shizue Sakurada, a United States citizen, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.









ITEMS IN APPENDIX

17. FARM LABOR. Sen. Murray inserted a speech by Secretary of Labor Tobin discussing the shortage of farm labor and favoring the bill to prevent the illegal entry of Mexican laborers (pp. A1531-3).
18. COTTON PRICES. Extension of remarks of Rep. Dorn, S. C., urging cotton price supports at 90% of the ceiling price (pp. A1537-8).
19. GRAIN STORAGE. Extension of remarks of Rep. Rabaut, Mich., commending Secretary Brannan for "integrity, fearlessness, and efficiency" in clearing up the grain-conversion cases, and including the Secretary's press release of Feb. 28 on this matter (pp. A1538-41).
20. TRANSPORTATION. Rep. O'Hara, Minn., inserted an address by Oswald Ryan, "Economic Developments in Air Transportation and Their Implications" (pp. A1541-3).
21. FOREIGN AID. Rep. Reed, N. Y., inserted a statement by Paul O. Peters recommending termination of the foreign-aid program (pp. A1544-5).  
Sen. Bridges inserted a Washington Daily News editorial criticizing the President's foreign-aid recommendations (p. A1552).  
Sen. Morse inserted a memorandum from a TCA board of consultants reaffirming and supporting the views of Dr. Henry Bennett, late Administrator of the Technical Cooperation Administration (pp. A1554-5).  
Sen. Benton inserted a Sunday's Times article stating that India's attitude toward the U. S. is now more friendly (pp. A1558-9).  
Rep. Lanham inserted an Atlanta Journal article favoring land reform in Asia as the best way to fight Communism (p. A1564).
22. PURCHASING. Sen. Case inserted a speech by W. O. Teckemeyer, GSA, explaining GSA's inspection and testing procedures in connection with Government purchasing (pp. A1550-1).
23. ST. LAWRENCE WATERWAY. Sen. Wiley inserted a Milwaukee Journal editorial stating that this proposed project was originated prior to the New Deal (pp. A1552-3).  
Sen. Aiken inserted a United States News and World Report article stating that Canada will build this project alone if we do not join her (pp. A1557-8).  
Rep. Reams, Ohio, inserted a Toledo Council resolution favoring this project (p. A1571).  
Extension of remarks of Rep. Kersten, Wis., favoring the project (pp. A1591-1592).
24. FORESTRY. Rep. Angell, Oreg., inserted an American Forests magazine article describing the operation of the sustained-yield forestry law (pp. A1566-9).
25. FLOOD CONTROL. Extension of remarks of Rep. Scudder, Calif., favoring additional flood control (p. A1569).
26. CENSUS. Rep. Schwabe, Okla., inserted statements by Ferdie Deering and the American Agricultural Editors' Association criticizing the manner of compiling agricultural censuses (pp. A1574-5).

27. RECLAMATION. Extension of remarks of Rep. Engle, Calif., commending the progress of the Central Valley project (p. A1578).
28. MEAT AND DAIRY INDUSTRY. Rep. Rogers, Tex., inserted a speech by former Assistant Secretary of Agriculture Grover B. Hill stating that, although people may be confused the cow goes on producing (p. A1580).
29. MILITARY TRAINING. Various statements discussing military training (pp. A1570-1, A1579-80, A1583-8).
30. EXPENDITURES. Rep. Poulson, Calif., inserted a South Pasadena Republican Club resolution supporting Sen. Byrd's recommendation for reduction in the Budget (p. A1592).  
Sen. Bridges inserted the Chamber of Commerce's statement favoring various reductions in the Budget (pp. A1593-4).
31. TRANSPORTATION. Rep. Lane, Mass., inserted a statement by John R. Mahoney opposing S. 2352, which would amend the Interstate Commerce Act by requiring an annual license fee on each holder of a certificate, permit, or license. (pp. A1594-6).

oOo

COMMITTEE HEARING ANNOUNCEMENTS FOR MAR. 11: Defense Production Act amendments, S. Banking. Agricultural appropriations for 1953, S. Appropriations (ex). Research on fresh water from sea water, H. Interior. Road authorizations, full H. Public Works (ex). Credit control and debt management, Joint Committee on the Economic Report. Report of subcommittee on Federal manpower investigations, S. Post Office and Civil Service (ex). Extension of GI Bill of Rights to veterans of Korea, H. Veterans Affairs. Small-business problems under Controlled Materials Plan, H. Small Business.

oOo



# Appendix

## Address by the Secretary of Labor Before a Luncheon of the Farm-Labor Conference and the Kiwanis Club, of Fort Worth, Tex.

### EXTENSION OF REMARKS OF

**HON. JAMES E. MURRAY**

OF MONTANA

IN THE SENATE OF THE UNITED STATES

*Monday, March 10, 1952*

Mr. MURRAY. Mr. President, when we review the accomplishments of our Government in the field of labor relations during the past several years, we will find that the present Secretary of Labor, Hon. Maurice J. Tobin, has made many highly constructive contributions to the welfare and progress of the working people of our country. He has proven to be one of America's ablest Secretaries of Labor. Under his wise guidance the rights of American workers to fair wages, good working conditions, and decent living standards have been protected and advanced as a sound national policy. All this has been accomplished without any disturbance of industry, without injury to any interests, and with great benefit to the Nation in this period of world crisis.

Recently the Secretary of Labor delivered an address on farm labor which is worthy of the attention of the Members of this body. His address was delivered before a joint luncheon of the farm-labor conference and the Kiwanis Club at Fort Worth, Tex., on February 14, 1952.

I ask unanimous consent to have this able address printed in the Appendix of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I always welcome an opportunity to go west of the Mississippi River. The blueness of the sky and the optimism of the people give my spirits a lift.

History has placed the Capitol of this Nation in the East. The Nation has grown West. In government, then, we must constantly be looking west. We must do all we can to overcome the continental distances that lie between us.

And I am speaking here not only of the geographical spaces of America. I am speaking of the distances of the mind. It is in the realm of the mind that the people must constantly be conquering distances. They must build a network of understanding and purpose of vision and organized effort so that the union of their strength under government will be stronger than any force.

Our pioneer forefathers, in their century, spanned this rich raw American continent by superhuman effort and delivered it into our hands fenced, plowed, and well stocked.

And from one end of the land to the other they proclaimed freedom. Freedom is the tie that binds the West and the East, the North and the South. Freedom is what makes us one people.

Today our heritage of freedom is in deadly peril. Another totalitarian power has arisen in Europe to threaten the freedom of men and women all over the earth.

The dark shadow of communism has fallen over the lives of millions who had longed, and prayed and determined to work for the kind of free government we have here in the United States.

The forces of freedom and the forces of oppression are locked in a titanic struggle today in many parts of the world. We have met the Communist challenge, we will go on meeting it, wherever and whenever it arises, as long as we continue to treasure the heritage of our forefathers.

In today's world of tensions, food is a weapon. We American people are faced with the question of how we can, by working together in confidence, rid the world of its fundamental threat—what President Truman in his recent report to Congress called stomach communism.

Starvation is the strongest ally that communism has in India, in Mayala, in Europe, in Latin America. Food will defeat stomach communism. Food is our weapon.

Who is going to plant it? Who is going to harvest it? In a word where is the farm labor coming from for our 1952 crops?

We must look first and always, of course, for help from our own people. Your State employment offices constantly search to employ every American who is willing to go into the fields. This year they will do even more than before to encourage part-time workers, older workers, youth, housewives, handicapped, and others to help with the harvests. Your State employment offices are constantly giving information that will bring the unemployed farm worker and the farmer together.

I know that some of our small farmers have their troubles. I do not believe that the definition I heard the other day of a poor Texan applies to everybody. I was told that a poor Texan is one who has to wash his own Cadillac. At any rate, there are a great many prosperous farmers today—men who, by good times, good sense, and support prices have made a going business of agriculture.

To these successful farmers, I say: You can help defeat the shortage of farm workers by making farm work and farm life more attractive. Good housing and good wages are insurance of a supply of workers. The farmer who can invest in these, will find that the investment is fully as justified as the insurance that he pays on his buildings and his machinery.

And a better wage for the American farm worker will mean more money in everybody's pocket. Listen to this editorial from a lower Rio Grande Valley newspaper.

"If \$2 is the going wage, what would happen if \$3 per hundred were offered? A few cotton farmers acknowledge that they would have plenty of takers at that figure. We even grew bold enough to ask a banker what would happen if more than \$2 was paid, and he said, 'money would be flowing in the streets.'"

"After talking with scores of people in the valley, we have found a remarkable amount of agreement on the fact that a high picking wage will not only get the crop in but will produce the sort of monetary circulation for which the valley has been hoping since the February freeze."

Yes; the payment of a decent wage for American farm workers is an investment. But it's not an investment that can be measured by the pocketbook alone. It's an investment in healthy children, in wholesome life, in decent living standards for American farm workers.

The story of America's migratory farm workers is well known. It has been a story of children without schools, of homes without the minimum standards for decent health. It has been a story of disease and hunger and ignorance. Conditions of America's migratory workers have been partly the result of the thousands of illegal aliens who filter across our borders. These aliens displace American families and send them from their homes in search of new work. These aliens have made possible the low wages in some areas that have brought about the degradation of many American farm families. This is not a problem for any one State or any one area or any one group of men. This is a national problem. The living conditions of some of our migratory workers are a national disgrace. And the problem, as I shall indicate later, must have a national solution.

Our first objective must be to entrust as much of the farm work as we possibly can to our own workers, at decent wages free from the competition of illegal aliens. We must not forget that a human being, a fellow citizen in our democratic family, one of God's children, comes before grapefruit and before cotton. Otherwise, we are guilty of the kind of selfish materialism that is the basis of communism.

No, we must not forget our own. And we must never forget that the whole splendid rise of the American economy, of business, of production, is based on one source of life blood—on the constant flow of good wages into the hands of the retail merchant, into the wholesaler's hands, into the manufacturer's hands, and back into the worker's hands, in a magic circle that makes prosperity possible. It is a system of fairness and individual reward for individual work.

But we are now engaged in a test of this system that does not leave time to solve our problems between morning and night. The harvests never wait for man to arrange his social life. The American harvests, God willing, are going to be heavier than ever. We must find the workers for the harvest peak. We must, when the harvest comes, find people even though we have to go abroad to do it.

The United States with her food goals for 1952 is short on farm labor. The world population is increasing. The world food supply is short, as the World Food Congress in Rome has emphasized. We are one of the few nations that can produce a surplus. America must plant and harvest the bumper crop of all time. We have as a goal 6,500,000 acres to plow—an increase of 4 percent over last year. Say, six or seven King ranches completely cultivated. This is no small job.



But not only have the people of the world increased in number. We Americans are now consuming more than ever before. The average American consumes 13 percent more food than 10 years ago.

Getting enough people to harvest our bumper crop will not be easy. A man would rather live in town on a year-round job than go up one row and down the other from daylight to dark and not know where he will work next. Better housing, comforts, entertainment, schools, as well as better jobs have all added to the gravitation to cities.

Therefore, farm workers keep moving to town when they can, and they can now that defense production is growing each day. Our defense plants and our military are both expanding by drawing from the agricultural labor supply. Where then will we look for farm labor if we are planting more crops and losing some of the hands to gather these crops? That is the question the farmers are asking.

In the face of larger goals for food, we must in 1952 look to our neighbors. We must look to our friends abroad when our own farm workers are fully employed. We are being helped on the east coast by people from Canada, the British West Indies, and our citizens from Puerto Rico. We plan to use as many Puerto Ricans as we can in the days ahead. But in the Southwest and the West, our increasing harvests in this defense period have had to depend more and more upon the work of people from Mexico. The Mexicans are nearest and it is less difficult to bring and return them home.

It is fortunate for us that Mexico with many good men for the fields regards us as a friend today and continues to send us help. Last year Mexico sent us 190,000 farm workers—less than 2 percent of all people engaged in agriculture. But these men have rendered assistance to farmers from Texas to Michigan and Minnesota, from Georgia and Mississippi to California and the State of Washington.

Today because the farm-labor supply counts for so much in our national strength, we cannot ignore Mexico as a source of help.

We are now working under authority from Congress known as Public Law No. 78. This law allows your Government to negotiate contracts with the Republic of Mexico for Mexican workers to fill the gaps in our farm-labor ranks.

I don't believe that the public understands all the new problems that must be met in dealing with a sovereign nation for a labor supply. There are five general considerations that we must face. We must consider the American worker. We must consider the American employer. We must consider the Mexican worker. We must consider the position of the Mexican Government, and last, and fundamentally at all times, we must consider the general good of the Nation.

The point of view of the employer, who in this case is a farmer, is that he wants his labor needs met in such a way that he can operate his farm successfully. He worries because, although farm prices are up, he sees a decreasing supply of farm labor. The western and southwestern farmers and ranchers look to our agreement with Mexico for relief from this particular business worry. They want to know that they can get the necessary men when their harvests hang heavy in the fields and orchards—when they see their investments exposed to the unpredictable disasters of nature.

The point of view of the employee is in a sense the same as the farmers'. He is in the business of selling the sweat of his brow and he wants to stay in business. Unemployment is as disastrous to him as storms and freezes and floods are to his employer. And like the farmer, he wants to earn as much as he can. Both the farmer's and the laborer's viewpoint are expressed by the

current quip: "Whether you're rich or poor, it's good to have money."

The position of the Mexican Government, in the case of the international farm labor agreement with the United States, is that of attorney or representative of its citizens' interests. But the Mexican Government must also consider the national viewpoint as well as that of the workers'. This means that Mexico must decide whether these workers can be spared from her program of industrial development, including dam building and the opening of new land to agriculture. Will it affect her national dignity or create serious national problems?

And, finally, in arranging for the use of foreign workers, this Government must bear in mind the general good of the United States. We must make sure that we do not create a situation that will produce disease and crime and poverty. We must make equally sure that we do not deprive our own people of work opportunities or lower their standards of living through the introduction of cheap competitive labor. We must also make sure that we maintain our growing friendship with our next-door neighbor, Mexico.

Those are the considerations that we must bear in mind.

It is no small achievement that we have worked out an agreement, an agreement that goes as far as it does in satisfying all these points of view. It is no small achievement that in 120 days we were able to bring into the United States more than 125,000 Mexican workers as the farmers required them, to see that they were paid a fair wage, insured and protected in all ways, and returned to Mexico. It is no small achievement to know in times of emergency that may arise in the future that we have the machinery and we have the good will of Mexico. She can supply the agricultural workers our country may desperately need.

Meanwhile, I can assure you that we are making progress toward a greater perfection of this international machinery for the emergency use of Mexican farm labor. Some farmers have said, for instance, that the contracting procedure is too complicated. I suggest that it is no more complicated than negotiating a loan with your banker.

In our efforts to perfect the terms of the arrangement with Mexico, we have asked the farmers for their comments. Some of their criticisms have been valid. It is true, as they point out, that a provision is needed to impose a greater responsibility on the worker to complete his contract once he is on the farm. We are all, the two Governments and the workers, under an obligation to understand the farmer's position. And there is every reason to believe that in redrafting the contract such legitimate objections can be taken care of.

At the same time, the farmer is under an obligation, just as this Government is, to understand Mexico's position. He must understand for one thing that the United States guarantees compliance with the contract and has the authority to carry it out. And it will also help if the employer, particularly along the Mexican Border, understands the necessity of ending the illegal immigration of workers.

The illegal and uncontrolled immigration of Mexicans as farm labor to the Southwest has been, and still is, the great mountain between our country and Mexico. We must move it before we can work in full harmony with Mexico. Furthermore, the interests of the United States coincide with Mexico's in controlling the border. This problem has grown to alarming proportions. Mexico has seen an increasing illegal flow of its citizens north to work in United States agriculture and United States industry. There they must exist in effect as men without a country—without the protection of any government. And for all our efforts, the illegal im-

migration is still much larger than the number who come legally as braceros.

Under Public Law No. 78, we must meet requirements of the Mexican Government for the protection of its workers—a fair wage, insurance, good housing, safe transportation. This protection is necessary not only to satisfy Mexico, but to protect American working and living conditions, which the law requires us to do, as it should. The problem of illegal entry is ours, as well as Mexico's. We cannot carry out our legal assignment of protecting our American workers when we have foreign workers—illegal and undercover—in competition with them. Nor can the Nation undertake to accept blindly all the potential social problems that uncontrolled immigration can bring—problems like disease and poverty.

All enlightened people see the value to this country of high labor standards. As I have said, and I say it again for emphasis, the wages of workmen do not pile up. They are spent on goods, and these give the merchant and the manufacturer his living and his profit. Merchants along the border, should, for their own interest, oppose illegal labor, because legal labor will mean higher wages, which will be spent in the merchants' stores, rather than a group of illegal workers employed at the lowest agricultural wages in the United States.

Throughout the United States, farmers and farm organizations have indicated that they are looking anxiously south to Mexico to supply the harvest workers who at peak season may mean the difference between the success or failure of their ventures. But until we can shut the door of the border to illegal immigration, there is little hope for a satisfactory supply of legal labor.

Who is attempting to prevent the border from being controlled? They are a very few, most of them located in the Lower Rio Grande Valley where border control is most difficult. They cannot fully realize what they are doing to their own industry. They do not know what they are doing to the national security by trying to maintain a wide open frontier on our Southwest international border.

First of all, they tend to sabotage their own fellow farmers by making it more difficult for the rest of the country not adjacent to the border to obtain its necessary supplemental labor from Mexico at the moment of a shortage. Their employment of contraband Mexican labor antagonizes the Mexican Government. It would, if continued, undoubtedly cause Mexico to end her agreement to supply us with legal labor according to the general needs of the country.

In the second place, and this is a very serious situation, an uncontrolled border is always a danger, an Achilles heel to the security of any country. Not only does it have an adverse effect upon relations with Mexico, but it represents a constant threat to a continuing supply of farm workers from that country, when we need them. Furthermore, any open border allows a flow of criminals, white slavers, narcotic peddlers, smugglers, and the like from all over the world.

Most important of all, an open border to the south, is an invitation to the agents of foreign powers that seek to destroy this Nation and its free way of life. An open border is an invitation to Communist spies. Within the last year, American authorities have apprehended scores of known Communists from iron curtain countries and elsewhere, who made their way across the border. How long can this Nation continue to leave its door open for saboteurs and espionage agents from the Kremlin? I tell you our national security demands that we plug up this hole in our defense.

We know of more than one ranch with miles of frontage on the Mexican border that will not permit our immigration officers to enter and search for aliens. A chain and



lock bar the way. Nobody in the United States Government knows what is on those ranches, and I know in my heart that not one person in this listening audience wants to have this situation remain uncorrected.

You may say, how can this be possible? It is possible because of the constant pressure by a few to prevent Congress from giving the necessary authority and personnel to our immigration force. We cannot act too diligently in closing the southwestern border to all but legal and controlled traffic. Let me appeal then to all of you and, particularly, to the farmers along the Mexican border, to cooperate with your Government in stopping the traffic of illegal immigration that keeps pushing north into this country.

A bill that would greatly increase the power of the Government to crack down on illegal aliens, to stop this wetback traffic in its tracks, was passed only last week by the Senate.

I know that in Texas and the southwest, and wherever the wetback problem is understood, the people will join in supporting this bill. I know they will join also in the hope that a new law can open a new chapter in the history of Mexican farm labor in the United States.

In this chapter there will be legally imported Mexican braceros, employed at decent wages and decent working conditions, living in decent housing, and eating decent food.

But there will not be wetbacks. An industry that has to base its profits on the peonage and exploitation of illegal aliens has no place in this free democracy.

In this new chapter, the chapter we can write if the House of Representatives approves the bill that was passed by the Senate, there will be legal Mexican labor to help farmers who can't find enough Americans to help with their harvests.

There will be plenty of work for American farm workers at decent wages.

The crops will be harvested. The farmer will reap his fair profit. The Nation and all of the free world will have its food. But we will no longer pay the price in human misery that we have been paying during this era of the wetback. And we will be able to lock our borders with Mexico's help against the entrance of Communist saboteurs and spies. This wonderful progress is on the verge of a realization due to the wholehearted cooperation and support of every important farm organization in the United States. They have demonstrated their real Americanism—God bless them.

### Gov. John S. Fine Delivers a Stirling Address Incident to the Pennsylvania Loyalty Oath Ceremony, March 3, 1952

#### EXTENSION OF REMARKS OF

**HON. JAMES E. VAN ZANDT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1952

Mr. VAN ZANDT. Mr. Speaker, thousands of employees of the Commonwealth of Pennsylvania in compliance with the Loyalty Act passed at the last session of the State legislature, participated on March 3 in loyalty oath ceremonies conducted in every county in the Keystone State.

Since Harrisburg is the State capital, impressive ceremonies were held the eve-

ning of March 3 in the forum of the Education Building.

Gov. John S. Fine and his cabinet officers participated in the awe-inspiring program that taxed the seating capacity of the auditorium. The loyalty oath was administered by Associate Justice Stearne of the Supreme Court of Pennsylvania.

The Loyalty Act passed the State legislature largely through the efforts of Governor Fine and veterans organizations.

In delivering the principal address of the evening, Governor Fine said:

I have just happily concluded the voluntary taking of the oath. Members of my cabinet and thousands of State employees also eagerly reaffirmed their patriotism.

My own action has stimulated my love of country. This voluntary act has brought a resurgence of patriotic fervor to me. My cup of allegiance to my Nation and my State has always been brimful—tonight it overflows.

Governor Fine reminded his listeners that—

Tonight 10,000 Pennsylvanians are among America's outposts in Korea; approximately 75,000 Pennsylvanians are in the armed services of their country; and tragically flag-draped boxes of 1,400 silent patriotic Pennsylvanians have already departed Korean battles—in the light of that spirit we gather here tonight.

Governor Fine recalled that Gen. George Washington who was destined to be the Father of our Country proudly pledged allegiance in 1778 at Valley Forge, to the little that was then America and in its dreariest hour. The Governor then asked these questions:

Can we do less for a mighty and robust America, strong materially and spiritually?

Must we submerge the goodness and greatness which is America to the vocal whims of the few who secretly plan our destruction while blatantly extolling our Bill of Rights?

Continuing, Governor Fine said:

This is not the first time that a loyalty oath has been asked in Pennsylvania. In 1777 every male white resident, inhabitant of the State had to give assurance of allegiance to the Nation and the Commonwealth. As long ago as that time our lawmakers asserted and put in the act that allegiance and protection are reciprocal, and those who will not bear the former are not, nor ought not to be, entitled to the benefits of the latter.

Governor Fine asserted:

That holds true today. It will hold true tomorrow—and forever.

The impressive, eloquent, and dynamic address of Governor Fine is of such thought-provoking caliber that I include it in its entirety at this point in my remarks:

Pennsylvania's loyal legion of public servants, including teachers, are tonight exercising the privilege of rededicating themselves to their Commonwealth and to their Nation.

Here and now they have the sublime opportunity to further ennoble their lives and to dignify the national conduct in demonstrating anew their faith in America and its ideals. These actions are unerring guideposts toward the fulfillment of the American destiny.

Throughout the State, county by county, even as here in the capital city of Harris-

burg, thousands upon thousands of eager Americans are, with humble and grateful hearts subscribing to Pennsylvania's new loyalty oath. This inspiring occasion of legislative creation is, with exceedingly few exceptions, willingly and feelingly embraced with warm devotion.

This reaffirmation of fealty to Commonwealth and to Country also provides us opportunity to purify our social bloodstream of alien poison, and to cleanse our national life of Red germ cells that may infest and contaminate it. It is appropriate that during the Lenten season the forces of God and of right should thus be openly and militantly arrayed against evil and Godless communism.

In this mass avowal of renewed faith, we who serve the public also serve notice that the public we serve is for free men who would remain free, and for men who seek freedom everywhere. We are warning alienisms and strange philosophies that we cherish our liberties. We are confidently asserting that none may trample upon those freedoms, least of all those who are within the very structure of our own Government—yes, those who sup their sustenance from the well-served table of the Government they would undermine and destroy.

I have just happily concluded the voluntary taking of the oath. Members of my cabinet and thousands of State employees who jam the forum in our State Education Building in Harrisburg also eagerly reaffirmed their patriotism.

My own action has stimulated my love of country. This voluntary act has brought a resurgence of patriotic fervor to me. My cup of allegiance to my Nation and to my State has always been brimful—tonight it overflows. All of you, I am sure, feel as I so fervently and possessively feel: "This is our country."

As we reaffirm our loyalty, we fittingly honor our courageous and resolute forefathers who gave us national stature. We confirm our dynamic faith in those ideals of liberty, independence, and justice, so generously transmitted to us a beneficent heritage.

We are here proclaiming to each other—yea, to the entire world—that we intend to keep the human rights our forebears secured for us; that we enjoy freedom's fullest blessing—God's bestowed goodness; that we are alerted to our responsibilities to keep those blessings unsullied and undefiled. May it not be said of us that our sturdy American forebears endowed us with priceless liberties which we thoughtlessly lost in pursuit of an illusive paganistic security. Tonight we do solemnly pledge we will preserve that heritage and pass it on to a virile posterity as a worthy trust would have it.

Throughout our comparatively short national life there have been incidents which then, as now, symbolized a revitalized Americanism.

Down through echoing and vibrant years Americans have responded to the pungent expressions of our leaders which were as patriotic plasma to creeping national paralysis.

Patrick Henry's "Give me liberty or give me death" stirred the American colonies and propelled our pioneers to new heights in their aspirations to be and to remain free.

During the Revolution from whose pains was born a free America, hardy men seeking independence absorbed strength from Nathan Hale's last words: "I regret that I have but one life to give for my country."

Throughout the new America there was a quickening of the colonial pulse to Pinckney's declaration: "Millions for defense, but not one cent for tribute."

What American failed to thank God for his spiritual heritage, or remained complacent to



the ringing words of Naval Commander James Lawrence: "Don't give up the ship."

In our bleakest days in the Pacific who among us failed to see a piercing ray of hope in the challenging, truly American defy to Japanese: "I shall return." All America was raised from doubt and despair to confidence and certainty, and the lamp of liberty had a new glow in this terse promise of one of the ablest Americans of all times—General Douglas MacArthur. The Philippines were lost, but they were regained; MacArthur returned.

Recently the world thrilled to the indomitable courage of Capt. Kurt Carlsen of the *Flying Enterprise*. His heroism in challenging the buffetings of angry waves, in fighting vicious seas and whistling winds, wrote another chapter in the saga of American courage. We eagerly awaited news of his struggles. This action awakened many of our ideals which were too long dormant. He endured his trying experience because he had courage, integrity, loyalty, humility. He suffered and sacrificed because he so chose; because, as he told me, it was not merely to save some old wood, but to: "Save a little bit of America under our country's flag."

Tonight 10,000 Pennsylvanians are among America's outposts in Korea; approximately 75,000 Pennsylvanians are in the armed services of their country; and, tragically, flag-draped boxes of 1400 silenced patriotic Pennsylvanians have already departed Korean battles. Those men gave their liberties and their lives not only to save all of America, but also to secure for us the continued blessings of freedom. In the light of that spirit we gather here tonight, we challenge those who distort liberty for license, privilege for pursuit of plunder, under a predetermined conception that treasons and conspiracies have free exercise under the Bill of Rights. Co-existing with each right of man is a corresponding duty and responsibility. He who flees to America or to its Constitution as a haven of security has at least the moral obligation to be loyal to the country and Constitution whose aid he seeks.

America always has been and always will be proud of its fighting men, its pioneers—men of sacrifice, men of devotion, and men of faith.

Our national history is studded with similar incidents. All of them must remind us that the old and enduring ideals of American courage, honesty, frugality, and loyalty are good ideals and sound traditions. They can serve only to strengthen our minds, embolden our hearts, and enrich our souls.

Americanism is a word freighted with patriotic fervor. It gives a moral and a spiritual uplift. It means an untrammelled citizenry. It means the right to worship as man's conscience dictates. It insures a free press, peaceable assembly, and the right to say who shall be the Government; it guarantees us independence, freedom, and the right of individual incentive.

Americanism is a dynamic spirit which illumines darkness and despair with truth and hope. It is everything that we as a people have been, are now, or ever hope to be. It is the bulwark of our determination that we will not be deprived of our great, unsurpassed privileges and rights, whether the destroyer connives to frustrate us at home or to engage us abroad.

Our Americanism was not gained easily. Washington's men at Valley Forge—ragged, disheartened, starving in the midst of bitter winter—point up the hardships and the courage which won and builded Americanism.

Tonight in Valley Forge Park the State employees of that area took their loyalty oath in the same Bake House where General Alexander gave the loyalty oath to General Washington in 1778. He who was to be the Father of our Country proudly pledged allegiance to the little that was then America,

and in its dreariest hour. Can we do less for a mighty and robust America, strong materially and spiritually? Must we submerge the goodness and greatness which is America to the vocal whim of the few who secretly plan our destruction while blatantly extolling our Bill of Rights?

We cannot take our freedoms lightly. Americanism is not a manufactured product rolling off the assembly lines. To preserve it we must fight for it if necessary. It must always remain so worthy that we would give our last full measure of devotion to keep it.

That is why all of us—irrespective of race, or creed, or of color, or of political adherence—should be gloriously inspired with the opportunity of reaffirming our loyalty and our allegiance to the greatness and the dignity that is America.

I have no patience with those few recalcitrants who are motivated by an alien governmental philosophy to rebel at taking Pennsylvania's loyalty oath. Our American youth who bear arms and who lay their very lives on the altar of Americanism—the soldier and the officer who fight our battles—they take an oath of loyalty and allegiance to country. Every year our National Guard men take loyalty oath. Why should others decline who benefit by their sacrifice? Must we continue to coddle the foreign asp and hold it ever closer to our bosom? When eagerness and desire should be foremost, why is there a hardship in reaffirming our fealty and our gratitude for our country's limitless blessings? Who is the man or woman among us who would say they do not want our God-given freedom? What rational man or woman will toss away our freedoms so thoughtlessly? Reason cannot be harnessed to such human madness and still manifest logic.

Those men of iron will who, through sacrifice and pitiable privation, insured independence and liberties for us, knew that to maintain those blessings loyalty to our country, its traditions and its ideals was imperatively necessary for all time. They knew that the aspirations of the individuals must not transcend or rise above the security of all. They knew that as long as our Nation lived our people would call upon the rights guaranteed by Government. But the founders expected us to use those rights as they were intended to be used.

The spirit which united the Thirteen Colonies and gave birth to the Declaration of Independence, to the Constitution, and to the Bill of Rights was a spirit born of most sacrificial loyalty. Their loyalty to a creative cause—a cause destined for world leadership—was a loyalty to all—to their creation, a free America. The security of America was primary; their own life and liberty was secondary.

Yet we have a few people who today recoil, who ignobly recoil, from reaffirming loyalty to country and Commonwealth. And these are the people who in their refusal rush to invoke the very privileges and the rights they seek to destroy.

We cannot permit them to impede the cleansing of our government or our private enterprises, or to give aid to the Communist conspiracy which seeks our destruction. To impede this aid is a reason for the Pennsylvania Loyalty Act.

This new act will help to ferret out Communist activities which may exist in Pennsylvania.

We do not expect that the mere taking of the loyalty oath will completely wipe out Communist activities. A legal mandate will not cleanse a polluted mind, uncorrupt a corrupted heart, or undefile a defiled soul. It may not create loyalties where none exist. By the same token this act will not encourage wholesale perjury. We do believe it will do much to accomplish our objectives. It will alert our people to the dangers which face us. An alerted and free people will un-

cover our undercover enemies. We will be a better State and a better Nation for the uncovering.

This is not the first time that a loyalty oath has been asked in Pennsylvania. In 1777 every male white resident inhabitant of the State had to give assurances of allegiance to the Nation and to the Commonwealth. As long ago as that time our lawmakers asserted and put in the act that "Allegiance and protection are reciprocal, and those who will not bear the former are not, nor ought not to be, entitled to the benefits of the latter."

That holds true today. It will hold true tomorrow—forever.

The oath taken in 1777 required our people not only to be loyal; it required them to help round up traitorous persons. Today in our new oath we do not formally ask our employees to seek out information, but I am hopeful of the same results.

Certainly in our avowals of loyalty tonight, and from now until April 1, no one is being endangered. The great veterans' organizations of Pennsylvania who so nobly fought for the new loyalty oath know that it affords protection to reputations—not assailable.

Americans are the greatest segment of human society. We haven't lost our beliefs in God and country. I have a deep faith in America and in its people. We have always been and we always will be able to depend upon loyal Americans to protect the rights America has given us.

And so tonight respectfully we stand and are counted—a grateful people spontaneously saluting our flag, our State, and our country. And while reveling happily in the freedom that is America, we tell the world: We will not submit to any infringement of our liberties either from without or from within.

We know the American way of life is the way of true loyal Americans. It is not the way of synthetic Americans, or for those who use that native or adopted name as a cloak for a destructive foreign philosophy. Alexander the Great once called before him a slave whom he had noticed working quite industriously and attentively on the palace grounds. When the king asked the slave's name, the latter responded: "Alexander, sir." After repeated floggings, administered because the slave bore his name and with each succeeding flogging the more severe, the slave consistently and persistently gave his name, responding: "Alexander, sir." King Alexander, amazed, finally dismissed the slave with the admonition: "Either change your way of life or change your name."

To those amongst us who believe all is wrong with America and all is right with Russia, we have every right to say: "Either change your way of life or change your name."

## Senator Robert Taft in Connecticut

### EXTENSION OF REMARKS OF

HON. JAMES T. PATTERSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, March 10, 1952

Mr. PATTERSON. Mr. Speaker, the citizens of Connecticut had the opportunity last Wednesday, March 5, to see and hear Senator ROBERT TAFT in his avowed fight for the Republican presidential nomination.

Many Connecticut Republican leaders have indicated their support for General Eisenhower, and several of the









## ASSIST IN PREVENTING ALIENS FROM ENTERING OR REMAINING IN THE UNITED STATES ILLEGALLY

---

MARCH 11, 1952.—Ordered to be printed

---

Mr. CELLER, from the committee of conference, submitted the following

### CONFERENCE REPORT

[To accompany S. 1851]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1851) entitled "An act to assist in preventing aliens from entering or remaining in the United States illegally," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

On page 3, beginning on line 10 and ending on line 23, strike out paragraph (c).

And the House agree to the same.

HARLEY M. KILGORE,  
JAMES O. EASTLAND,  
WARREN G. MAGNUSON,  
HOMER FERGUSON,  
WILLIAM E. JENNER,

*Managers on the Part of the Senate.*

EMANUEL CELLER,  
FRANCIS E. WALTER,  
LOUIS E. GRAHAM,

*Managers on the Part of the House.*

## STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1851) entitled "An act to assist in preventing aliens from entering or remaining in the United States illegally," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill (S. 1851), as it passed the Senate, limited the authority to make an arrest for a violation of a provision of the act to—

officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws.

House amendment No. 1 struck out the words "of the United States", so that other officers whose duty it is to enforce criminal laws, would have authority to make an arrest for a violation of a provision of the act. The conferees have agreed to House amendment No. 1.

The bill (S. 1851), as it passed the Senate, contained a provision which reads as follows:

(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity in no case shall be for more than thirty days.

House amendment No. 2 struck out the words "issue his warrant" in the above-quoted provision as it passed the Senate and inserted in lieu thereof the words "obtain a warrant under oath from any court of competent jurisdiction," so that, instead of issuing warrants pursuant to the language of the provision as it passed the Senate, the Attorney General, a district director or assistant district director of the Immigration and Naturalization Service would only be authorized to obtain warrants from a court of competent jurisdiction.

The comparable provision of the bill as it passed the Senate and the comparable provision as it passed the House cannot be reconciled in principle and both provisions contain unnecessary limitations on the existing power of immigration officials. Therefore, the conferees have agreed to strike out the provision in its entirety, thus leaving undisturbed the authority of immigration officers as set forth by the act of February 27, 1925, as amended (43 Stat. 1049; 54 Stat. 1238; 60 Stat. 865; 8 U. S. C. 110), and in section 16 of the act of February 5, 1917, as amended (39 Stat. 885; 54 Stat. 1223; 54 Stat. 1238; 58 Stat. 714; 60 Stat. 1049; 8 U. S. C. 152).



The first of the above-cited statutes provides that authorized employees "shall have power without warrant" to arrest aliens entering or attempting to enter the United States in his presence or view and in violation of law, as well as any alien who is in the United States in violation of law who is likely to escape before a warrant can be obtained for his arrest. Also such employees are empowered to make arrests for felonies which have been committed and which are cognizable under any law of the United States regulating the exclusion, expulsion or admission of aliens if there is reason to believe the person so arrested is guilty of such offense and there is likelihood of his escaping before a warrant can be obtained. Moreover, such employees are empowered to execute any warrant or other process issued by any officer under any law regulating the exclusion, or expulsion of aliens.

The second of the above-cited statutes provides that immigrant inspectors are "authorized and empowered" to board and search for aliens any vessel, railway car, or any other conveyance in which they believe aliens are being brought into the United States. By the same section they are empowered to interrogate persons concerning their right to enter, reenter, pass through, or reside in the United States. The same statute provides for punishment by imprisonment for a term of not more than 1 year, or by a fine of \$2,000, or both, for any person who shall assault, resist, prevent, impede, or interfere with any immigration official in the performance of his duty. If any person uses any deadly or dangerous weapon in resisting any officer in the performance of his duty the section provides that he shall be deemed guilty of a felony and be punished by imprisonment for not more than 10 years.

Several court decisions have sustained the power of immigration officers to question aliens concerning their right to be in the country and to control the activities of third parties where necessary to insure proper enforcement of the immigration laws (*Zakonite v. Wolf*, 226 U. S. 272; *Lees v. United States*, 150 U. S. 476; *Head-Money cases*, 112 U. S. 580; *International Mercantile Marine Co. v. Stranahan*, 214 U. S. 344).

The managers on the part of the House believe that the legislation herewith presented to the House should be approved and accordingly they recommend the approval of the instant conference report.

EMANUEL CELLER,  
FRANCIS E. WALTER,  
LOUIS E. GRAHAM,

*Managers on the Part of the House.*







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued March 12, 1952

For actions of March 11, 1952

82nd-2nd, No. 39

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

## CONTENTS

|                      |       |                       |            |                     |         |
|----------------------|-------|-----------------------|------------|---------------------|---------|
| AA Act of 1938.....  | 10    | Forests.....          | 12,24      | Price control.....  | 18      |
| Appropriations.....  | 7     | Irrigation.....       | 13,25      | Price supports..... | 23      |
| Dairy products.....  | 23    | Labor.....            | 25         | Prices.....         | 5       |
| Electrification..... | 17    | Lands.....            | 4          | Purchasing.....     | 20      |
| Farm bankruptcy..... | 15,32 | Marketing quotas..... | 10         | Reclamation.....    | 14,33   |
| Farm housing.....    | 27    | Monopolies.....       | 19         | Rubber.....         | 6       |
| Farm labor.....      | 1     | Peanuts.....          | 10         | Small business..... | 7       |
| Farming.....         | 28    | Personnel.....        | 2,11,22,34 | Territion.....      | 8,16,21 |
| Foreign aid.....     | 9,26  |                       |            | Water research..... | 3       |

HIGHLIGHTS: Senate passed bill repealing authority for growing peanuts for oil in excess of quotas. House committee ordered reported bill to authorize research on making fresh water from sea water. House received conference report on bill to curb wetback entries. Rep. Richards introduced Mutual Security Act extension bill. Rep. Murray, Wis., introduced bill to provide "more effective" dairy price supports.

## HOUSE

1. FARM LABOR. Received the conference report on S. 1851, to assist in preventing aliens from entering or remaining in the U. S. illegally (H. Rept. 1505) (pp. 2130-1, 2164). Majority Leader McCormack announced that this bill is to be considered Thurs., Mar. 13 (p. 2140). As reported by the conferees there would be retained the House amendment authorizing criminal law enforcement officers to make an arrest for violation of a provision of the bill; and the provisions relating to the issuance or obtaining of warrants by immigration authorities was stricken from the bill, thus leaving unchanged the existing authorities for search and arrest.
2. PERSONNEL. Passed with amendment S. 2077, to provide for the Civil Service Commission to conduct loyalty investigations rather than the FBI (pp. 2140-58). Agreed to an amendment by Rep. Bow, Ohio., to require that all records and files compiled by the CSC under the bill be made available to Congressional committees upon request (pp. 2154-7).
3. WATER RESEARCH. The Interior and Insular Affairs Committee ordered reported (but did not actually report) H. R. 6578, amended, to provide for research into and demonstration of practical means for the economical production, from sea or other saline waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses (p. D196).
4. RECREATIONAL LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 3166, to amend the act of June 14, 1926, "an act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes," to include other public purposes and to permit non-profit organizations to lease public lands for certain purposes (H. Rept. 1509) (p. 2164).

5. **PRICES.** The Judiciary Committee ordered reported (but did not actually report) H. R. 6925, amended, "resale price maintenance bill to make effective the fair-trade laws of the various States" (p. D197).
6. **RUBBER.** The Armed Services Committee ordered reported (but did not actually report) H. R. 6787, extending the Rubber Act of 1948 for 2 years, until June 30, 1954 (p. D196).
7. **SMALL BUSINESS.** Reps. Fogarty, R. I., Patman, Tex., and Confield, W. J., urged appropriations for the Small Defense Plants Administration, and Rep. Fogarty announced that he intends to propose an amendment to the Third Supplemental Appropriation bill to provide such appropriations (pp. 2131, 2158-9, 2160-1).
8. **TAXATION.** Rep. Harrison, Nebr., inserted a letter from the publisher of the Ashland (Nebr.) Gazette protesting high taxes and waste and extravagance in Government (p. 2131).
9. **FOREIGN AID.** Received from the State Department the fourth report on aid to Yugoslavia (H. Doc. 392) (p. 2164).

#### SENATE

10. **PEANUTS.** Passed without amendment S. 2697, amending the Agricultural Adjustment Act of 1938 to repeal the authority for CCC to purchase peanuts for oil which are grown in excess of marketing quotas (p. 2113).
11. **PERSONNEL.** The Post Office and Civil Service Committee reported without amendment S. Res. 238, to extend until Jan. 31, 1953 the authority of that Committee to investigate personnel needs and practices of the various Government agencies (S. Rept. 1293) (p. 2098); to Rules and Administration Committee.
12. **FORESTS.** The Foreign Relations Committee ordered reported (but did not actually report) S. 1835, granting the consent of Congress to Canadian participation in the Northeastern Interstate Forest Fire Protection Compact (p. D194).
13. **IRRIGATION.** The Interior and Insular Affairs Committee ordered reported (but did not actually report) without amendment H. R. 3144, to make certain construction cost adjustments in connection with the Greenfields division of the Sun River (Mont.) Irrigation Project (p. D194).
14. **RECLAMATION.** The Interior and Insular Affairs Committee ordered reported (but did not actually report), pending receipt of a report from Interior Department, S. 2610, providing that excess-land provisions of Federal reclamation laws shall not apply to certain lands receiving water supply from the San Luis Valley (Colo.) project (p. D195).
15. **FARM BANKRUPTCY.** The Judiciary Committee ordered reported (but did not actually report) with amendments the McCarran-Hayden substitute for S. 25, to add a farm bankruptcy title to the Bankruptcy Act (p. D195).
16. **TAXATION.** Sen. Flanders inserted a resolution of Newport, Vt., citizens protesting high income taxes and urging reductions in Government appropriations (pp. 2097-8).
17. **ELECTRIFICATION.** Sen. Welker inserted a constituent's letter opposing Federal construction of the Hells Canyon (Idaho) electric power project (pp. 2123-4).



There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE SENATE'S BIG OPPORTUNITY

After all the shouting at the Capitol over the scandals in the Internal Revenue Bureau, there is something incongruous in the hedging that has been taking place on the Senate side over the administration's plan for cleaning up the Bureau. The demands for Executive reform brought, among other actions, a Presidential proposal for a sweeping reorganization of the tax-collection agency in line with recommendations of the Hoover Commission. But that proposal had as one of its main provisions the freeing of the collection system from the pressures and temptations of political patronage. That was the hitch. Senators have never been enthusiastic, as a group, about relinquishing any patronage rights. It is not surprising that the reorganization plan, after House approval, has met with trouble in the Senate Executive Expenditures Committee.

President Truman's urgent request to the Senate for approval of the plan followed indications that the bill might be held up for further study by the committee. A refusal of the Senate to accept the reorganization plan now would kill it for this session. If there is no adverse vote in the Senate before March 14, the plan automatically will become operative. To reject the proposal now in favor of further study would be a delaying action that would be inconsistent with senatorial cries for prompt revenue reforms. If the critics of the President's plan had something better to offer, their warnings against too much haste in reorganization could be justified. But no better plan than that calling for removal of collectors from politics has yet been produced.

The pending plan, as Revenue Commissioner Dunlap has pointed out to the committee, embraces the main points of the Hoover Commission's programs and of other groups which have studied the Bureau's defects. Mr. Dunlap has answered effectively a number of questions raised by opponents of the plan—but it is an open secret that the main bone of contention is the proposed substitution of civil-service selection of collectors for political appointments.

The President's latest message in support of the legislation has the effect of placing responsibility for effective house cleaning at the Internal Revenue Bureau on the Senate. If the Senate blocks this chance to place the tax-collection agency on a merit basis, its

outcries over corruption and inefficiency in the Government will take on a very hollow ring.

#### RACIAL EQUALITY—EDITORIAL FROM LIFE MAGAZINE

Mr. HUMPHREY. Mr. President, recently there was published in Life magazine—I believe it appeared in its most recent issue—an editorial entitled "The Shengs and Democracy." The editorial refers to a gentleman of Chinese ancestry who, while living in the United States, encountered a great deal of difficulty in the exercise of what he considered to be natural rights and legal rights as a resident of this country.

I commend a reading of the editorial to every Member of this body. I think it will provoke a reawakening in regard to some of the difficulties existing in sections of the country other than the South, where similar difficulties are all too often referred to. The editorial discusses the situation in the West, in my section of the country, and in the East, where persons of various nationalities and of various racial origins have done much to advance the welfare and progress of the Republic.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE SHENGs AND DEMOCRACY

Mr. Sing Sheng placed a bet on American democracy and lost it. In Asia they will, therefore, be asking whether American democracy is worth betting on. It still is.

Sheng, a United States college graduate and a former Nationalist Chinese intelligence officer, is an airline mechanic in south San Francisco. He wanted to buy a small house for his growing family in Southwood, a suburb near the airport where he works. When he learned that some of the all-Caucasian residents of Southwood did not want a Chinese neighbor, he proposed that the question be put to a vote. To all residents he wrote: "We think so highly of democracy because it offers freedom and equality. America's forefathers fought for these principles and won the independence of 1776.

\* \* \* Do not make us the victims of false democracy. Please vote for us." The other side was summed up by a builder who said, "People must stick together to protect their property rights." Sheng lost, 174 to 28, with

14 abstentions. Said he bitterly, when the votes were counted, "I hope your property values will go up every 3 days."

The response to the Sheng case has been strong and Nation-wide. Other cities have offered him a job and a home. There is a move in south San Francisco itself to make amends. Since Sheng's original purpose was not to put democracy on the spot but simply to find a better place to live, the outcome for him is likely to be satisfactory. That is one minor count for American democracy.

Another is the fact that Sheng could have moved into the Southwood house if he had wanted to make an issue of it. The restrictive covenant is legally unenforceable; so says the Supreme Court. But Sheng made what he calls a "gentleman's agreement" to abide by the outcome of the balloting. In other words he tactfully asks more of our democracy than law can provide. He asks what the United States at present merely aspires to, namely complete absence of prejudice between man and man.

In fact the people of Southwood were less prejudiced against Sheng than against losing money. The market value of group prejudice is the key to the segregation problem in the United States. During the last 10 years the United States has made revolutionary progress toward racial equality. If this progress continues, prejudice should eventually even lose its market value. It had better, for the national costs of discrimination are exceedingly high. Segregated slums yield only about 6 percent of the typical city's taxes, but use a third of its fire and almost a half of its police protection. The underemployment of Negro talents and skills is even more wasteful. According to the Urban League the total economic cost of discrimination in a city like New York is at least \$1,000,000,000 a year.

This loss is at least as real as the one the calculating householders of Southwood think they have avoided. When we outgrow group prejudice in this country, the Southwood type of property loss would be inconceivable, and the present cost of discrimination will be turned into a big gain for all.

#### RECESS

Mr. LONG. Mr. President, I move that the Senate stand in recess until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 34 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 12, 1952, at 12 o'clock meridian.



# House of Representatives

TUESDAY, MARCH 11, 1952

The House met at 12 o'clock noon.  
The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, we beseech Thee to guide, sustain, and encourage us in all the noble and worthy undertakings of this day.

May each new day be better than yesterday and prophetic of a radiant tomorrow as we strive to be coworkers with Thee and with one another in the great moral and spiritual enterprise of achieving blessedness for all mankind.

We penitently confess that there are times when the ideals which we cherish seem so visionary, the outlook for a finer social order appears so gloomy, our loftiest impulses are frustrated, and our hearts are filled with fear and foreboding.

Forgive us for allowing doubt and cynicism to find lodgment in our souls and for permitting any sinister thoughts and feelings to eclipse our faith, blur our hope, and extinguish our love.

May we be confident that we have not been created for failure but for victory and that in Thine own good time all Thy gracious promises shall be gloriously fulfilled.

In Christ's name we offer our prayers.  
Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGES FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate insists upon its amendments to the bill (H. R. 4645) entitled "An act for the relief of Mrs. Marguerite A. Brumell," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. O'CONOR, and Mr. HENDRICKSON to be the conferees on the part of the Senate.

## CLAIM OF ROBERT E. VIGUS

The SPEAKER. The Chair lays before the House the following communication from the Clerk of the House:

MARCH 10, 1952.

The honorable the SPEAKER,  
House of Representatives.

SIR: Pursuant to authority granted on March 10, 1952, the Clerk received today from the Secretary of the Senate the following message:

That the Senate has passed without amendment House Concurrent Resolution 203, entitled "Concurrent resolution requesting the return of the enrollment of H. R. 3219 and the reenrollment thereof."

Very truly yours,

RALPH R. ROBERTS,  
Clerk of the House of Representatives.

## PREVENTING ILLEGAL ENTRY OF ALIENS

Mr. CELLER submitted the following conference report and statement on the

bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally:

## CONFERENCE REPORT (H. REPT. No. 1505)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1851) entitled "An act to assist in preventing aliens from entering or remaining in the United States illegally," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

On page 3, beginning on line 10 and ending on line 23, strike out paragraph (c).

And the House agree to the same.

EMANUEL CELLER,  
FRANCIS E. WALTER,  
LOUIS E. GRAHAM,

*Managers on the Part of the House.*

HARLEY M. KILGORE,  
JAMES O. EASTLAND,  
WARREN G. MAGNUSON,  
HOMER FERGUSON,  
WILLIAM E. JENNER,

*Managers on the Part of the Senate.*

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1851) entitled "An act to assist in preventing aliens from entering or remaining in the United States illegally," submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill (S. 1851), as it passed the Senate, limited the authority to make an arrest for a violation of a provision of the act to "officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers of the United States whose duty it is to enforce criminal laws." House amendment No. 1 struck out the words "of the United States", so that other officers whose duty it is to enforce criminal laws, would have authority to make an arrest for a violation of a provision of the act. The conferees have agreed to House amendment No. 1.

The bill (S. 1851), as it passed the Senate, contained a provision which reads as follows:

"(c) When the Attorney General or any district director or any assistant district director of the Immigration and Naturalization Service has information indicating a reasonable probability that in any designated lands or other property aliens are illegally within the United States, he may issue his warrant authorizing the immigration officer named therein to go upon or within such designated lands or other property other than a dwelling in which the warrant states there may be aliens illegally within the United States, for the purpose of interrogating such aliens concerning their right

to enter or to be or remain in the United States. Such warrant shall state therein the time of day or night for its use and the period of its validity in no case shall be for more than 30 days."

House amendment No. 2 struck out the words "issue his warrant" in the above-quoted provision as it passed the Senate and inserted in lieu thereof the words "obtain a warrant under oath from any court of competent jurisdiction," so that, instead of issuing warrants pursuant to the language of the provision as it passed the Senate, the Attorney General, a district director or assistant district director of the Immigration and Naturalization Service would only be authorized to obtain warrants from a court of competent jurisdiction.

The comparable provision of the bill as it passed the Senate and the comparable provision as it passed the House cannot be reconciled in principle and both provisions contain unnecessary limitations on the existing power of immigration officials. Therefore, the conferees have agreed to strike out the provision in its entirety, thus leaving undisturbed the authority of immigration officers as set forth by the act of February 27, 1925, as amended (43 Stat. 1049; 54 Stat. 1238; 60 Stat. 865; 8 U. S. C. 110), and in section 16 of the act of February 5, 1917, as amended (39 Stat. 885; 54 Stat. 1223; 54 Stat. 1238; 58 Stat. 714; 60 Stat. 1049; 8 U. S. C. 152).

The first of the above-cited statutes provides that authorized employees "shall have power without warrant" to arrest aliens entering or attempting to enter the United States in his presence or view and in violation of law, as well as any alien who is in the United States in violation of law who is likely to escape before a warrant can be obtained for his arrest. Also such employees are empowered to make arrests for felonies which have been committed and which are cognizable under any law of the United States regulating the exclusion, expulsion or admission of aliens if there is reason to believe the person so arrested is guilty of such offense and there is likelihood of his escaping before a warrant can be obtained. Moreover, such employees are empowered to execute any warrant or other process issued by any officer under any law regulating the exclusion, or expulsion of aliens.

The second of the above-cited statutes provides that immigrant inspectors are "authorized and empowered" to board and search for aliens any vessels, railway car, or any other conveyance in which they believe aliens are being brought into the United States. By the same section they are empowered to interrogate persons concerning their right to enter, reenter, pass through, or reside in the United States. The same statute provides for punishment by imprisonment for a term of not more than 1 year, or by a fine of \$2,000, or both, for any person who shall assault, resist, prevent, impede, or interfere with any immigration official in the performance of his duty. If any person uses any deadly or dangerous weapon in resisting any officer in the performance of his duty the section provides that he shall be deemed guilty of a felony and be punished by imprisonment for not more than 10 years.

Several court decisions have sustained the power of immigration officers to question aliens concerning their right to be in the country and to control the activities of third



parties where necessary to insure proper enforcement of the immigration laws (*Zakonite v. Wolf*, 226 U. S. 272; *Lees v. United States*, 150 U. S. 476; *Head-Money cases*, 112 U. S. 580; *International Mercantile Marine Co. v. Stranahan*, 214 U. S. 344).

The managers on the part of the House believe that the legislation herewith presented to the House should be approved and accordingly they recommend the approval of the instant conference report.

EMANUEL CELLER,  
FRANCIS E. WALTER,  
LOUIS E. GRAHAM,

*Managers on the Part of the House.*

#### PROTEST AGAINST HIGH TAXES IN VIEW OF WASTE AND EXTRAVAGANCE

(Mr. HARRISON of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRISON of Nebraska. Mr. Speaker, I, too, have a letter from one of my constituents about taxes. This letter could have been written by any constituent in any part of the United States to any Congressman. I will read it:

THE ASHLAND GAZETTE,  
Ashland, Nebr., March 8, 1952.

COLLECTOR OF INTERNAL REVENUE,  
Treasury Department,  
United States Government.

GENTLEMEN: Even though I am required by law to pay income tax for 1951 and make a declaration of tax for 1952, I wish to hereby declare that I do so under protest.

This protest is registered because of glaring Federal Government corruption and immorality, which has resulted in waste and extravagance such as the world has never known before. There are thousands of examples of waste of my money and that of all other American taxpayers. They stem directly from the scandals and investigations of Government bureaus, Armed Forces procurement and foreign aid, but to try and list them is not the purpose of this letter. It is enough to know that they exist.

However, I do wish to go on record that, under the present circumstances, I protest the payment of this money which means so much to me and my family, but apparently means nothing to the Government of which I am supposed to be an integral part.

According to instructions from your department a social-security tax has now been imposed upon practically all self-employed persons. Webster's Dictionary gives the full meaning of the word "impose" and as a free American citizen I do not appreciate being imposed upon.

In closing, please understand that all of us are willing to support by taxes the normal functions of government.

Yours very truly,

M. C. Howe,  
Owner and Publisher.

#### ARMY PROCUREMENT AND SMALL BUSINESS

(Mr. PATTERSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

[Mr. PATTERSON addressed the House. His remarks appear in the Appendix of today's RECORD.]

#### FORMULA FOR PRICE DECONTROL

(Mr. BURLESON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURLESON. Mr. Speaker, I have just introduced a measure which proposes to amend the Defense Production

Act of 1950 by providing legislative standards for the suspension of price controls. When the test of the standards is met, decontrol would be mandatory.

Two basic requirements shall be determining: First, the material or commodity is by its nature not susceptible to speculative buying; second, not more than 10 percent of the total national output of the material or commodity is purchased with Federal funds for defense purposes.

Mr. Speaker, an example of the purposes of this amendment is the removal of price ceilings on crude petroleum. An unrealistic price ceiling has been imposed upon crude-oil production, with the result that the industry has been depressed. It has only been through outstanding and unparalleled expansion that the industry has been able to overcome threatened shortages and meet all requirements for civilian needs as well as for defense efforts. The need for further expansion of oil-producing facilities of this Nation is recognized by those in responsible positions. Because of the extreme essentiality of oil to the modern military machine, the accomplishment of the required expansion program is of utmost importance to the Congress and the American people and is entitled to the greatest consideration.

In contrast with the sharp increases which have occurred in the price of almost every other commodity of our economy during the past 4 years, crude-oil prices have not advanced since 1947, even after Korea.

It is peculiar to the oil industry that controls have a depressing effect upon expansion and discovery of new reserves, and only by the minimum exercise of Government controls and regulations can the oil industry be encouraged to meet the demands made upon it for national defense and civilian use called for by the Petroleum Administration for Defense.

Mr. Speaker, I am including a more complete statement on this subject in the Appendix of the RECORD.

#### APPROPRIATION FOR SMALL DEFENSE PLANTS ADMINISTRATION

(Mr. FOGARTY asked and was given permission to address the House for 1 minute.)

Mr. FOGARTY. Mr. Speaker, several Members have called my office this morning to inquire about the action taken by the Committee on Appropriations in deleting all funds for the Small Defense Plants Administration which is the only independent agency in Government that can be of any help to small-business firms of this country.

I have advised each and every one of them who called me this morning that on yesterday I made the statement that when the supplemental appropriation bill is before the House on tomorrow I will offer an amendment restoring the funds so that the Small Defense Plants Administration can do something for small business. I think it is about time that the membership of this House decide one way or the other whether or not they want to help small business. We have been doing a lot of talking about it for the past 2 or 3 years. We will have a chance now to live up to our

promise to small business on tomorrow when we vote for continuation of the Small Defense Plants Administration.

#### INVESTIGATION AND STUDY OF THE KATYN FOREST MASSACRE

Mr. MADDEN. Mr. Speaker, by direction of the Rules Committee I call up House Resolution 539.

The Clerk read the resolution, as follows:

*Resolved*, That the second, third, and fourth paragraphs of House Resolution 390, Eighty-second Congress, are amended to read as follows:

"The committee is authorized and directed to conduct a full and complete investigation and study of the facts, evidence, and extenuating circumstances both before and after the massacre of thousands of Polish officers buried in mass graves in the Katyn Forest on the banks of the Dnieper River in the vicinity of Smolensk, Union of Soviet Socialist Republics, which was then a Nazi-occupied territory formerly having been occupied and under the control of the Union of Soviet Socialist Republics.

"Upon completing the necessary hearings, the committee shall report to the House of Representatives (or the Clerk of the House, if the House is not in session) before January 3, 1953, the results of its investigation and study, together with any recommendations which the committee shall deem advisable.

"For the purpose of carrying out this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold hearings, and to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it deems necessary. Subpoenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member."

(Mr. MADDEN asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. MADDEN. Mr. Speaker, House Resolution 593 amends the original resolution creating the Katyn Investigating Committee House Resolution 390. This amendment gives permission to the Congress to conduct hearings outside of the United States.

Since the Katyn committee was authorized by Congress, a great deal of testimony and essential evidence has come to the attention of the committee from both within and without the borders of the United States. Before Congress adjourned last September, the committee heard the testimony of Lt. Col. Donald B. Stewart. It was unanimously agreed at that time by the members of the committee that further hearings would be resumed after Congress reconvened in January. In the meantime, the counsel and office force of the committee were busy preparing for the hearings.

On Monday, February 4, the committee held hearings for several days of the following witnesses: Father Leopold Braun, A. A., New York, N. Y.; Henry Clarence Cassidy; John Doe; Marion (Mike) Gawiak, Port Colborne, Canada; George Grobicki; Tadeusz Romer, former



Polish Ambassador to Russia, Montreal, Quebec, Canada; Col. John H. Van Vliet, Jr.; Col. J. B. Gielgud.

The publicity given in this country and abroad to the testimony presented by these witnesses has brought forth a great number of potential witnesses from abroad in addition to the witnesses and testimony that the committee had already obtained. It is plainly evident that the results of the work of our committee has created a great reaction both behind the iron curtain and outside the iron curtain. For a considerable period of time the newspapers in Russia and the satellite countries refused to print any news regarding the Select Committee to Investigate the Katyn Forest Massacre. This policy of silence on the Katyn massacre proceedings by the iron-curtain newspapers has changed radically. According to the Associated Press dispatch from Moscow on March 3, 1952, the Russian paper, Pravda, devoted 2½ columns to republishing the text of the conclusions reached by the hand-picked Russian committee which reported on the Katyn massacre in January 1944. Another Associated Press dispatch on the same date stated that the entire Polish press reprinted the same statement. The News Week magazine in its edition 2 weeks ago in the column entitled "The Periscope" made the following statement:

#### SCORE ONE

Insiders say the House inquiry into the Katyn massacre—the mass murder of Polish soldiers by either Russians or Germans—has scored a propaganda coup in satellite countries. The point is that the United States is probing a crime in which no Americans were affected—the best antidote to Red propaganda that the west has forgotten its former supporters behind the iron curtain.

In this morning's CONGRESSIONAL RECORD on page A1592 is reprinted an article from the New York Herald Tribune of last Sunday, setting out the fact that "the inquiry into the death of the Polish soldiers in the Katyn Forest worries the Russians."

I hope that all Members of Congress read this article by Robert L. Moora in Sunday's Herald Tribune.

Without taking up the time of the Congress reviewing the testimony which has already been presented at committee hearings and the fact that all Members are familiar with the remarks made on the floor of the House during the last month concerning Katyn, I believe that the adoption of this amendment giving authority to our committee to record the great amount of testimony from this international crime which is available in London, Paris, and Berlin is highly essential and very necessary to combat the psychological warfare which the Soviets are so experienced in waging.

The Rules Committee reported out House Resolution 539 unanimously.

I wish at this time to call the attention of the Congress to a press release which was issued by the Embassy representing the present Polish Government in Washington.

At this point I incorporate in my remarks the exact press release issued by the Polish Embassy on March 3, 1952, at 6 p. m.:

#### POLISH STATEMENT ON MADDEN COMMITTEE

The Polish Government issued on February 29, 1952, a statement on the Madden committee of the United States House of Representatives. The text, translated from the Polish, follows:

"For several months American propaganda has made an effort to publicize the spectacular sessions of the so-called special committee of the House of Representatives in the Katyn case. The staging of this farce and the unleashing of a campaign based upon it, the provocative aim of which is evident, are links in a general United States Government propaganda plan which in turn is part of aggressive preparations for war.

"Behind the scenes of this campaign stand the notorious protectors of neo-Hitlerite revenge aims, the enemies of peace, democracy and the Polish people, such as Mr. Arthur Bliss Lane, who while holding the position of Ambassador of the United States in Warsaw, did not hesitate to take a personal part in the organization of actions directed against the Polish State and its independence and who, since his return to the United States, has specialized in vile slanders against Poland and the U. S. S. R.; such as, also, a member of the special committee, Mr. O'Konski, who during World War II was connected with Nazi agencies in the United States.

"The appointment of the special committee coincides with the appropriation by the United States Congress of \$100,000,000 for diversionist-espionage activities in other countries, among them Poland. It is a component part of that criminal action aimed against the peace of the world.

"The extermination in Katyn of thousands of Polish officers and soldiers was the work of Nazi criminals who, in addition to the Katyn crime, committed hundreds of similar crimes on Polish and Soviet soil. The Katyn crime was one link in the Nazi campaign aimed at the physical extermination of the Polish people and consistently carried out during the occupation. The Katyn crime was the work of those Nazi genocidal criminals whom American authorities today are releasing from prison and whose services they engage for the preparation of new crimes against the Polish people and against all peace-loving nations.

"From the start the Polish people, who have had first-hand experience with Nazi methods of slaughter as applied to Oswiecim, Majdanek, and many other death camps in Poland, never had any doubt whatever but that the monstrous Katyn crime was the work of Nazi gangsters. The lies of Nazi propaganda were ultimately exposed as such by evidence accumulated and incontrovertibly established in the presence of Polish representatives by a special Soviet commission for the establishment and investigation of circumstances surrounding the shooting by Fascist German invaders of Polish officers who were prisoners of war.

"The whole world passed judgment on the Nazi murders of Katyn, just as it judged all their monstrous crimes in concentration camps and in thousands of cities and villages of occupied Europe.

"Genocide goes hand in hand with provocation. In 1943 Goebbels tried to make use of the bodies of Nazi victims for a monstrous provocation against the Soviet Union, whose army at that time was smashing the Nazi war machine.

"In 1952 those involved in the mass murder of war prisoners in Korea, much like those Nazis who prepare for a new criminal world war, try to revive the Goebbels trick. By renewing the Katyn provocation, they seek to divert the attention of the nations of the world from the reconstruction of a neo-Hitlerite Wehrmacht as an American tool against world peace.

"As far back as 1943 Nazi propaganda, obediently supported by the reactionary

London clique of Polish emigres, was unsuccessful in misleading world opinion or the opinion of the Polish people. Even the very authors of this provocation, Goebbels and Frank, could not help admitting that their provocation had found no echo in the Polish nation. So much less does the new version of this provocation in an American edition find an echo now. Those who suppose that this provocation will attain any of its aims are deluding themselves. The murderers of Korean children and women will not succeed in concealing the guilt of the Nazi murders of Katyn, nor in rehabilitating them for the purpose of exploiting them for new crimes.

"The Polish people look with loathing upon the attempts of American ruling circles to use poisoned weapons inherited from Goebbels, attempts aimed at obliterating the traces of Nazi crimes and at base incitement against the peoples of the Soviet Union, who bore the main burden of the fight to rout nazism. Every Pole regards with outrage and contempt these calumnies and provocations, these cynical attempts to prey upon the tragic death of thousands of Polish citizens suffered at the hands of Nazi murderers.

"The government and the people of Poland condemn most sharply this provocative action of the United States aimed against peace-loving nations, against those nations which suffered most from Nazi invasion and Nazi crimes."

This propaganda release from the Polish Embassy breaks all precedent as far as flagrant violations of diplomatic rules and time honored Embassy procedure is concerned. This release is nothing more than brazen communistic propaganda issued almost under the shadow of the Capitol dome. The insulting text of the Polish Embassy press release proves conclusively that the Katyn investigation is exposing and damaging the Soviet imposed regime in Poland. The preliminary Communist attempts to silence all news and comment about the investigation have failed. This press release propaganda is not only an insult to the Katyn committee, but an insult to this Congress and the Government of the United States. It has been chosen as the weapon for counteracting the effect of the investigation on the enslaved Polish people.

We know that millions from various nations and races have been massacred, murdered and burned in ovens during the last 15 years by both Stalin and Hitler. We know now that both savage dictators and their henchmen have been guilty of tortures, mass murders, genocide and other international crimes. Hitler and most of his henchmen have paid the penalty for their deeds. The hearings on the Katyn Forest murders are unfolding the fact slowly but surely that the Katyn massacres were but a small part of the well-organized effort of mass human extermination. Mass murder and genocide is part of the felonious process used by Communist dictators to subjugate nations and races in their mad drive for world conquest.

Communist propaganda emitting from the Polish Embassy in Washington is a brazen example of the Communist influence in bankrupting the moral fiber and respectability of human beings.

At the Polish Embassy in Washington, we have men who no doubt are descendants of valiant and heroic Polish ancestors. Their ancestors have fought for the



Miller, Md.  
Miller, Nebr.  
Mills  
Morton  
Mumma  
Murray, Tenn.  
Nelson  
Nicholson  
Norblad  
Ostertag  
Passman  
Patman  
Patten  
Pickett  
Poage  
Redden  
Reed, Ill.  
Reed, N. Y.  
Rees, Kans.  
Robeson

Rogers, Fla.  
Rogers, Tex.  
Ross  
St. George  
Schenck  
Schwabe  
Scrivner  
Scudder  
Shafer  
Simpson, Ill.  
Sittler  
Smith, Kans.  
Smith, Miss.  
Smith, Va.  
Smith, Wis.  
Spence  
Stanley  
Taber  
Talle  
Teague

Thomas  
Thompson,  
Mich.  
Thornberry  
Vail  
Van Pelt  
Velde  
Wharton  
Wheeler  
Whitten  
Williams, Miss.  
Williams, N. Y.  
Willis  
Wilson, Ind.  
Wilson, Tex.  
Winstead  
Wolcott  
Wood, Idaho  
Woodruff

## NOT VOTING—113

Aandahl  
Addonizio  
Allen, Ill.  
Barden  
Battle  
Bender  
Blatnik  
Boykin  
Brown, Ohio  
Brownson  
Buchanan  
Buckley  
Budge  
Burton  
Camp  
Cannon  
Carnahan  
Case  
Celler  
Chatham  
Chudoff  
Clevenger  
Cole, Kans.  
Combs  
Cooley  
Coudert  
Cox  
Davis, Tenn.  
Delaney  
Dingell  
Dollinger  
Donovan  
Doughton  
Doyle  
Durham  
Fernandez  
Gamble  
Gwinn  
Hall  
Edwin Arthur O'Konski

Hall,  
Leonard W.  
Halleck  
Harden  
Harvey  
Hedrick  
Heffernan  
Heller  
Herter  
Hillings  
Hope  
Horan  
Hull  
Hunter  
Jackson, Calif.  
Javits  
Judd  
Kean  
Kee  
Kennedy  
Keogh  
Kersten, Wis.  
Kluczynski  
Larcade  
Latham  
McGrath  
McKinnon  
Magee  
Marshall  
Martin, Iowa  
Morrow  
Mitchell  
Morrison  
Moulder  
Multer  
Murdock  
Murphy  
Murray, Wis.  
O'Brien, Mich.

Osmer  
Phillips  
Potter  
Powell  
Prouty  
Radwan  
Rains  
Ramsay  
Reece, Tenn.  
Regan  
Riehlman  
Rivers  
Roberts  
Rogers, Mass.  
Roosevelt  
Sabath  
Sadlak  
Sasser  
Scott, Hardie  
Secrest  
Sheehan  
Short  
Sikes  
Simpson, Pa.  
Staggers  
Stockman  
Sutton  
Tackett  
Taylor  
Walter  
Weichel  
Welch  
Werdell  
Widnall  
Wood, Ga.

So the previous question was ordered.  
The Clerk announced the following pairs:

Mr. Burton with Mr. Sadlak.  
Mr. Dingell with Mr. Herter.  
Mr. Keogh with Mr. Sheehan.  
Mrs. Kee with Mr. Widnall.  
Mr. Sasser with Mr. Latham.  
Mr. Addonizio with Mr. Taylor.  
Mr. Murphy with Mr. Allen of Illinois.  
Mr. Doyle with Mr. Bender.  
Mr. Regan with Mr. Kean.  
Mr. Heffernan with Mr. Halleck.  
Mr. Kluczynski with Mr. Leonard W. Hall.  
Mr. Chatham with Mr. Coudert.  
Mr. Heller with Mr. Brown of Ohio.  
Mr. Morrison with Mr. Weichel.  
Mr. Mitchell with Mrs. Rogers of Massachusetts.  
Mr. Walter with Mr. Osmer.  
Mr. Sikes with Mr. Edwin Arthur Hall.  
Mr. Hedrick with Mr. Werdell.  
Mr. Battle with Mr. Horan.  
Mr. Staggers with Mr. Gwinn.  
Mr. Buckley with Mr. Gamble.  
Mr. Fernandez with Mr. Case.  
Mr. Crumpacker with Mr. Morrow.  
Mr. Welch with Mr. Merrow.  
Mr. Magee with Mr. O'Konski.  
Mr. McKinnon with Mr. Clevenger.  
Mr. Celler with Mr. Brownson.  
Mr. Delaney with Mr. Jackson of California.  
Mr. Larcade with Mr. Judd.  
Mr. Rivers with Mr. Simpson of Pennsylvania.  
Mr. Dollinger with Mr. Short.  
Mr. Roberts with Mr. Prouty.

Mr. Blatnik with Mr. Radwan.  
Mr. Camp with Mr. Reece of Tennessee.  
Mr. Chudoff with Mrs. Harden.  
Mr. Donovan with Mr. Budge.  
Mr. Powell with Mr. Kersten of Wisconsin.  
Mr. Roosevelt with Mr. Stockman.  
Mr. Sutton with Mr. Martin of Iowa.  
Mr. McGrath with Mr. Harvey.  
Mr. Kennedy with Mr. Aandahl.  
Mr. Cooley with Mr. Cole of Kansas.  
Mr. Cox with Mr. Murray of Wisconsin.  
Mr. Davis of Tennessee with Mr. Phillips.  
Mr. Moulder with Mr. Potter.  
Mr. O'Brien of Michigan with Mr. Hull.  
Mr. Rains with Mr. Hunter.  
Mr. Wood of Georgia with Mr. Hillings.  
Mr. Secrest with Mr. Hope.  
Mr. Murdock with Mr. Riehlman.

Messrs. HOLIFIELD, MILLER of New York, and ANGELL changed their vote from "nay" to "yea."

Messrs. AUGUST H. ANDRESEN and ENGLE changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.  
The question was taken; and there were—yeas 206, nays 115, not voting 111, as follows:

[Roll No. 20]

## YEAS—206

Adair  
Allen, Calif.  
Anderson, Calif.  
Andersen,  
August H.  
Anfuso  
Angell  
Arends  
Armstrong  
Aspinall  
Auchincloss  
Ayres  
Bailey  
Bakewell  
Baring  
Barrett  
Bates, Ky.  
Bates, Mass.  
Beall  
Belamer  
Belcher  
Bennett, Fla.  
Bennett, Mich.  
Bentsen  
Blshop  
Blackney  
Boggs, Del.  
Bolling  
Bolton  
Bramblett  
Bray  
Budge  
Burdick  
Burnside  
Busbey  
Canfield  
Carrigg  
Chelf  
Chenoweth  
Chipherfield  
Church  
Clemente  
Cole, N. Y.  
Corbett  
Cotton  
Crosser  
Crumpacker  
Curtis, Mo.  
Dague  
Davis, Wis.  
Dawson  
Deane  
Dempsey  
Denny  
Denton  
Devereux  
D'Ewart  
Dondero

Donohue  
Dorn  
Eaton  
Eberhart  
Elliott  
Ellsworth  
Evins  
Fallon  
Feighan  
Fenton  
Fine  
Fisher  
Flood  
Fogarty  
Forand  
Ford  
Fulton  
Furcolo  
Garmatz  
Gavin  
George  
Goodwin  
Gordon  
Graham  
Granahan  
Granger  
Green  
Greenwood  
Hagen  
Hale  
Harrison, Wyo.  
Hart  
Havener  
Hays, Ohio  
Heseltan  
Hess  
Hinshaw  
Hoffman, Ill.  
Holifield  
Holmes  
Howell  
Irving  
Jackson, Wash.  
James  
Jenkins  
Johnson  
Jonas  
Jones, Ala.  
Karsten, Mo.  
Kearney  
Kearns  
Keating  
Kelley, Pa.  
Kelly, N. Y.  
Kerr  
Kilburn  
Kilday  
King, Calif.

King, Pa.  
Kirwan  
Klein  
Lane  
Lanham  
Lesinski  
Lind  
Lyle  
McCarthy  
McConnell  
McCormack  
McCulloch  
McDonough  
McGregor  
McGuire  
McVey  
Macrowicz  
Mack, Ill.  
Mack, Wash.  
Madden  
Mansfield  
Martin, Mass.  
Mason  
Meador  
Miller, Calif.  
Miller, N. Y.  
Morano  
Morgan  
Multer  
Nicholson  
O'Brien, Ill.  
O'Hara  
O'Neill  
Ostertag  
O'Toole  
Patman  
Patterson  
Perkins  
Philbin  
Phillips  
Poage  
Polk  
Poulson  
Preston  
Price  
Priest  
Rabaut  
Rankin  
Reams  
Reece, Tenn.  
Reed, N. Y.  
Rees, Kans.  
Rhodes  
Ribicoff  
Rodino  
Rogers, Colo.  
Rooney  
Ross

St. George  
Saylor  
Schenck  
Scott,  
Hugh D., Jr.  
Scudder  
Secrest  
Seely-Brown  
Shelley  
Sheppard  
Sieminski  
Simpson, Ill.

Smith, Kans.  
Smith, Wis.  
Springer  
Stigler  
Thompson,  
Mich.  
Tollefson  
Trimble  
Vail  
Van Pelt  
Van Zandt  
Velde

## NAYS—115

Abbt  
Abernethy  
Albert  
Allen, La.  
Andersen,  
H. Carl  
Andrews  
Baker  
Barden  
Beckworth  
Berry  
Betts  
Boggs, La.  
Bohner  
Bosone  
Bow  
Brehm  
Brooks  
Brown, Ga.  
Bryson  
Buffett  
Burleson  
Bush  
Butler  
Byrnes  
Carlyle  
Colmer  
Cooper  
Crawford  
Cunningham  
Curtis, Nebr.  
Davis, Ga.  
DeGraffenried  
Dolliver  
Elston  
Engle  
Forrester  
Frazier  
Fugate  
Gary

Gathings  
Golden  
Gore  
Grant  
Gregory  
Gross  
Hand  
Hardy  
Harris  
Harrison, Nebr.  
Harrison, Va.  
Hébert  
Herlong  
Hill  
Hoeven  
Hoffman, Mich.  
Ikard  
Jarman  
Jenison  
Jensen  
Jones, Mo.  
Jones,  
Hamilton C.  
Jones,  
Woodrow W.  
Lantaff  
LeCompte  
Lowre  
Lucas  
McIntire  
McMillan  
McMullen  
Mahon  
Miller, Md.  
Mills  
Morris  
Mumma  
Murray, Tenn.  
Nelson  
Norblad

Norrell  
Passman  
Patten  
Pickett  
Redden  
Reed, Ill.  
Riley  
Robeson  
Rogers, Fla.  
Rogers, Tex.  
Schwabe  
Scrivner  
Shafer  
Sittler  
Smith, Miss.  
Smith, Va.  
Spence  
Stanley  
Steed  
Taber  
Talle  
Teague  
Thomas  
Thompson, Tex.  
Thornberry  
Vinson  
Watts  
Wharton  
Wheeler  
Whitten  
Williams, Miss.  
Williams, N. Y.  
Willis  
Wilson, Tex.  
Winstead  
Wolcott  
Wood, Idaho  
Woodruff

## NOT VOTING—111

Aandahl  
Addonizio  
Allen, Ill.  
Battle  
Bender  
Blatnik  
Boykin  
Brown, Ohio  
Brownson  
Buchanan  
Buckley  
Burton  
Camp  
Cannon  
Carnahan  
Case  
Celler  
Chatham  
Chudoff  
Clevenger  
Cole, Kans.  
Combs  
Cooley  
Coudert  
Cox  
Davis, Tenn.  
Delaney  
Dingell  
Dollinger  
Donovan  
Doughton  
Doyle  
Durham  
Fernandez  
Gamble  
Gwinn  
Hall  
Edwin Arthur Murdock

Hall,  
Leonard W.  
Halleck  
Harden  
Harvey  
Hays, Ark.  
Hedrick  
Heffernan  
Heller  
Herter  
Hillings  
Hope  
Horan  
Hull  
Hunter  
Jackson, Calif.  
Javits  
Judd  
Kean  
Kee  
Kennedy  
Keogh  
Kersten, Wis.  
Kluczynski  
Larcade  
Latham  
McGrath  
McKinnon  
Magee  
Marshall  
Martin, Iowa  
Morrow  
Miller, Nebr.  
Mitchell  
Morrison  
Morton  
Moulder

Murphy  
Murray, Wis.  
O'Brien, Mich.  
O'Konski  
Osmer  
Potter  
Powell  
Prouty  
Radwan  
Rains  
Ramsay  
Regan  
Richards  
Riehlman  
Rivers  
Roberts  
Rogers, Mass.  
Roosevelt  
Sabath  
Sadlak  
Sasser  
Scott, Hardie  
Sheehan  
Short  
Sikes  
Simpson, Pa.  
Staggers  
Stockman  
Sutton  
Tackett  
Taylor  
Walter  
Weichel  
Welch  
Werdell  
Widnall  
Wood, Ga.

So the resolution was agreed to.  
The Clerk announced the following pairs:

Mr. Burton with Mr. Herter.  
Mr. Dingell with Mr. Brown of Ohio.  
Mr. Keogh with Mr. Allen of Illinois.  
Mrs. Kee with Mr. Sadlak.  
Mr. Sasser with Mr. Bender.



Mr. Addonizio with Mr. Coudert.  
 Mr. Murphy with Mr. Leonard W. Hall.  
 Mr. Doyle with Mrs. Harden.  
 Mr. Regan with Mr. Taylor.  
 Mr. Heffernan with Mr. Weichel.  
 Mr. Kluczynski with Mr. Widnall.  
 Mr. Chatham with Mr. Kean.  
 Mr. Heller with Mr. Judd.  
 Mr. Morrison with Mr. Latham.  
 Mr. Mitchell with Mr. Simpson of Pennsylvania.  
 Mr. Walter with Mr. Short.  
 Mr. Sikes with Mr. Sheehan.  
 Mr. Hedrick with Mrs. Rogers of Massachusetts.  
 Mr. Battle with Mr. Radwan.  
 Mr. Stagers with Mr. Osmer.  
 Mr. Buckley with Mr. Martin of Iowa.  
 Mr. Fernandez with Mr. Case.  
 Mr. Welch with Mr. Gwinn.  
 Mr. Magee with Mr. Horan.  
 Mr. McKinnon with Mr. Kersten of Wisconsin.  
 Mr. Celler with Mr. Riehlman.  
 Mr. Delaney with Mr. Clevenger.  
 Mr. Larcade with Mr. Brownson.  
 Mr. Rivers with Mr. Morton.  
 Mr. Dollinger with Mr. O'Konski.  
 Mr. Roberts with Mr. Murray of Wisconsin.  
 Mr. Blatnik with Mr. Gamble.  
 Mr. Camp with Mr. Harvey.  
 Mr. Chudoff with Mr. Hillings.  
 Mr. Donovan with Mr. Werdel.  
 Mr. Powell with Mr. Prouty.  
 Mr. Roosevelt with Mr. Potter.  
 Mr. Sutton with Mr. Miller of Nebraska.  
 Mr. Kennedy with Mr. Merrow.  
 Mr. Cooley with Mr. Cole of Kansas.  
 Mr. Cox with Mr. Edwin Arthur Hall.  
 Mr. Davis of Tennessee with Mr. Hope.  
 Mr. Moulder with Mr. Jackson of California.  
 Mr. O'Brien of Michigan with Mr. Aandahl.  
 Mr. Rains with Mr. Hull.  
 Mr. Wood of Georgia with Mr. Stockman.  
 Mr. Secrest with Mr. Hardie Scott.  
 Mr. McGrath with Mr. Halleck.

Mr. IKARD changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE TO EXTEND

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that all Members may be allowed to extend their remarks on the resolution just passed, and I also ask unanimous consent that two letters, one from one of the attorneys of the Los Angeles Times, and one from a member of the Senate Press Gallery, Mr. Stephen L. Debalta, may be incorporated in the RECORD immediately following my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### ELECTION TO COMMITTEE

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 562), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That EARL CHUDOFF, of Pennsylvania, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Merchant Marine and Fisheries.

The resolution was agreed to.

#### PREVENTING ILLEGAL ENTRY OF ALIENS

(Mr. McCORMACK asked and was given permission to address the House for 1 minute.)

Mr. McCORMACK. Mr. Speaker, I take this time to announce to the House that the conference report on the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, has been filed in the House and will be called up Thursday next.

I make this announcement to give as much advance notice as possible so the Members will be advised and may govern themselves accordingly.

#### CORRECTION OF ROLL CALL

Mr. MANSFIELD. Mr. Speaker, I am recorded in yesterday's RECORD as not voting on roll call No. 18. I was present and voted "nay." I ask unanimous consent that the permanent RECORD and JOURNAL may be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

#### TRANSFER OF RESPONSIBILITY FOR CONDUCTING CERTAIN PERSONNEL INVESTIGATIONS

Mr. LYLE. Mr. Speaker, I call up House Resolution 555, providing for the consideration of S. 2077, a bill to provide for certain investigations by the Civil Service Commission in lieu of the Federal Bureau of Investigation, and for other purposes.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2077) to provide for certain investigations by the Civil Service Commission in lieu of the Federal Bureau of Investigation, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Indiana is recognized for 1 hour.

Mr. LYLE. Mr. Speaker, I yield one-half of my time, 30 minutes, to the gentleman from Oregon [Mr. ELLSWORTH] and yield myself such time as I may use.

The SPEAKER. The gentleman from Indiana is recognized.

Mr. LYLE. Mr. Speaker, the bill made in order by this resolution is a Senate bill, S. 2077. It provides that the Civil Service Commission shall conduct the original personnel investigations, in-

vestigations that heretofore and presently have been and are being made by the FBI. Mr. Hoover, Director of the FBI, has recommended this legislation. However, if anything derogatory is uncovered the FBI will then take over the investigation.

The bill provides further that the FBI shall continue to check its files on fingerprints of all applicants; further, that when the Atomic Energy Commission, the Mutual Security Administration, or the State Department certifies certain positions as having high sensitivity, then the FBI will make a complete investigation in all instances.

Mr. Speaker, so far as I know there is no opposition to this measure.

Mr. ELLSWORTH. Mr. Speaker, the pending resolution makes in order consideration of the bill S. 2077.

I think it would be worth while at this time to call the attention of the Members of the House to the fact, which was considered by the Rules Committee in bringing the bill to the floor for consideration, that the Director of the Federal Bureau of Investigation, J. Edgar Hoover, has advised us of his approval of this legislation. He said in his statement to the committee that the trend toward piling more minor investigation work on the Bureau has been accelerated during recent Congresses and the enlargement of the Bureau's activities in this respect has necessarily resulted in a diversion of much of its energies and facilities from the pursuit of its primary responsibilities of detecting and apprehending violators of Federal laws, discharging its assignments with respect to espionage, sabotage, and subversive activities, and rendering such other vital services as may be required of it by congressional and Executive directives.

It seemed to the Rules Committee that it was quite in order for the Congress, in light of the statement by the Director, to have an opportunity to reconsider the actions taken in the enactment of previous laws and change our directive so that the personnel investigations called for in several acts may be transferred to the Civil Service Commission. The pending rule making in order the consideration of S. 2077 was therefore brought to the floor.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman's statement in connection with Mr. Hoover is absolutely correct. On several occasions one of his assistants has been up to see me, Mr. Hoover having sent him, urging the passage of legislation of this type because it was taking up so much time of the FBI that the work of their special agents was being diverted from the essential work of the FBI to investigations that could be taken care of elsewhere, as Mr. Hoover's assistant said, could be well taken care of by the Civil Service Commission.

I have in my hand a letter addressed to me, dated March 6, in relation to S.



ity member, has taken the lead in putting the Hoover Commission recommendations into effect. We have secured legislative consideration of 37 Presidential reorganization plans of which 28 have become law. In addition to these plans, I have voted for 46 laws to improve the efficiency of Government operations. The Citizens' Committee on the Hoover Report has stated that over 55 percent of the 300 or more recommendations in the report have been put into effect, leading to savings of over \$2,000,000,000 annually.

#### MAINTAINING A SOUND ECONOMY

Great domestic and international problems during the past 10 years have made necessary the building of our military strength and caused our taxes and national debt to increase sharply. The alternative during the years 1940 and 1945 would have been surrender to Hitler and since the end of the war, the alternative would have been to surrender the free world to communism. We could not accept either of these alternatives and retain the freedoms inherent in the American way of life.

Our great job has been to meet these totalitarian threats and at the same time maintain a decent standard of living for our people at home. We have, in the main, succeeded. We defeated the Hitler axis. We have stopped the growth of communism in Europe and here at home. We have maintained full employment. We have increased greatly our production of consumer and military goods. Some price inflation has occurred but the standard of living, as expressed in actual increased consumption of consumer goods, has improved. Corporate net income and individual net income, after taxes, is higher than it was in the prewar years.

I shall continue to fight inflation of prices and do all in my power to increase the purchasing power of the consumer's dollar.

#### WATER, THE LIFELOOD OF CALIFORNIA

The one indispensable factor in the continuing welfare of every citizen of California is the maintenance of an adequate water supply. Our underground water supply level has lowered from near the ground surface to a depth of several hundred feet in the last few years. The Huholland Aqueduct from Owens Valley is totally inadequate and we are now dependent on water which is pumped through the Metropolitan Water Aqueduct from the Colorado River 475 miles away.

During the past few years a dispute on water rights has been bitterly waged between California and Arizona. We believe that legislation introduced by Arizona and now pending in the Congress will jeopardize California's claims to a substantial amount of Colorado River water.

Together with the other California Congressmen of both parties I am vigorously defending our water rights.

#### FLOOD CONTROL

The flash floods, such as those recently suffered by many of our communities in the Los Angeles watershed, are a con-

tinuing threat to life and property. The Nineteenth Congressional District in particular is traversed by the Los Angeles, Rio Hondo, and San Gabriel Rivers. All of these rivers are important diversion channels for flash-flood waters which accumulate between the mountains and the ocean. In 1941 Congress passed an enabling bill for \$350,000,000 for southern California flood-control projects. Actual appropriations of \$120,000,000 have been made of these Federal funds, to aid the citizens of our communities in their fight against these disastrous floods.

I have appeared many times before the Appropriations Committees of Congress and testified in behalf of these appropriations which are so necessary to preserve life and property.

#### TIDELANDS OIL FIGHT

The State of California for many years has been receiving millions of dollars in royalties from oil pools which lie off shore and below the ocean waters adjacent to our coast line. The State of California has used these funds for the purchase of public beaches, parks, and recreational facilities for the people of California. The Federal Government has, in recent years, claimed rights to these offshore oil deposits, claiming Federal ownership of submerged lands.

I have joined with other California Congressmen in the fight to maintain California's right to these offshore oil royalties.

#### INDUSTRIAL DEVELOPMENT OF SOUTHERN CALIFORNIA

Our rapidly increasing population has provided industrial workers and therefore more consumers for industrial products. Wartime defense expansion on the Pacific coast gave impetus to our industrial development. The location of defense industries and the allocation of defense contracts have been a constant concern of California Congressmen.

I have, together with my California colleagues in Congress, vigorously fought for the establishment of steel, aluminum, shipbuilding, aircraft, rubber, machine tool, and many other industrial facilities in southern California. We have also been successful in insisting that large defense contracts be allocated to the West instead of to eastern and southern areas. This has helped immeasurably in the growth of our southern California industrial plant, and the employment at good wages of thousands of our citizens.

#### INTERNATIONAL PROBLEMS

During the past 10 years we have fought and won World War II against the totalitarian regimes of the extreme right.

One of our allies in that fight against the common foe was Soviet Russia. When the war was over, the Soviets joined with us in forming the United Nations. We had every reason to believe that all nations were tired of war and would proceed to build a peaceful world. Time and events have proven that the Soviet Union was not sincere. This totalitarian nation of the extreme

left has violated every principle of international equity.

We are now faced with the aggressive force of communism throughout the world. We are fighting this ideology on both the economic and the military fronts. Our economic aid to free nations in Europe and Asia is for the purpose of strengthening their domestic economies and building their military strength. We are succeeding although the task is difficult and progress sometimes seems too slow. As the free world becomes stronger the danger of political or military success of communism becomes less.

The struggle of the 16 member nations of the United Nations against the Chinese and North Korean Communists may not be fully understood by many Americans. It is essentially a struggle to preserve the United Nations reason for existence, that is, collective international action against aggression. Unless the principle of collective action against aggression is established firmly among nations, we can never establish peace in the world. It is the only chance to stop Communist aggression. That is why we are fighting in Korea.

I have voted for economic and military aid for our allies in the United Nations and I have supported our own military appropriations to make our own Nation strong in the fight to preserve our freedom and liberties.

#### GRAFT IN GOVERNMENT

Approximately 2,500,000 citizens are Federal civilian employees. Of this number a few hundred have betrayed their trust and committed dishonest acts. It is obviously unfair to charge that this great body of Federal employees is corrupt and dishonest. There is absolutely no excuse for dishonesty in government or anywhere else. Betrayal of public trust is reprehensible and should be exposed and punished immediately.

My own Committee on Expenditures in the Executive Departments has continuously investigated Government agencies and exposed inefficiency and dishonesty. We recently secured House of Representatives approval of the President's Reorganization Plan No. 1 of 1952 to reorganize the Bureau of Internal Revenue abolishing the political offices of collectors of internal revenue and replacing them with civil-service employees. We believe that this change will relieve the collectors of political pressures and insure a more responsible and honest administration of our tax-collection agency.

#### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the Record, or to revise and extend remarks, was granted to:

Mr. FALLON (at the request of Mr. PRIEST) and to include a statement.

Mr. MORANO in two instances and to include editorials in each instance.

Mr. BUSBY and to include a letter received by him from a minister regarding taxes.

Mr. ARMSTRONG and include a brief article by the president of Boeing Aircraft Co.



Mr. HOEVEN and include an article from the February issue of the *Farm Journal*.

Mr. COLE of New York and include a short editorial.

Mr. CRAWFORD and include a brief summary of the new Puerto Rican Constitution prepared by the Governor of Puerto Rico.

Mrs. St. GEORGE and include a newspaper article.

Mr. HOFFMAN of Michigan and include a newspaper article.

Mr. MANSFIELD and include a speech by Secretary Chapman in honor of the Honorable MIKE KIRWAN.

Mr. PATMAN and include a statement at the end of today's business concerning the Small Business Plants Administration appropriation which will come up tomorrow.

Mr. BRYSON and include a radio transcript.

Mr. McDONOUGH and to include extraneous matter.

Mr. KING of California (at the request of Mr. LYLE) and to include a newspaper article.

Mr. PHILBIN and to include a recent speech.

Mr. HÉBERT and to include an article.

Mr. BROOKS in two instances and to include extraneous matter.

Mr. GRANGER and to include an editorial.

Mr. LESINSKI.

Mr. BENNETT of Florida and to include extraneous matter.

Mr. SHELLEY and to include two items of extraneous matter.

Mr. Boggs of Louisiana in three instances and to include extraneous matter.

Mr. MILLER of New York in three instances and to include two resolutions and an editorial.

Mr. HOFFMAN of Illinois (at the request of Mr. MARTIN of Massachusetts).

Mr. REECE of Tennessee and to include an editorial from the *Wall Street Journal*.

Mr. STEED and to include a magazine article.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 664. An act to amend section 4 of the act of May 5, 1870, as amended and codified, entitled "An act to provide for the creation of corporations in the District of Columbia by general law," and for other purposes; and

S. 1345. An act to amend acts relating to fees payable to the clerk of the United States District Court for the District of Columbia, and for other purposes.

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. LANTAFF, for 4 days, on account of committee business.

Mr. GREENWOOD (at the request of Mrs. KELLY of New York), for an indefinite period, on account of death in family.

Mr. ADDONIZIO (at the request of Mr. HOWELL), for the week of March 10, 1952, on account of official business.

Mr. DOYLE, indefinitely, on account of committee business.

#### ADJOURNMENT

Mr. ELLIOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 12, 1952, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1238. A letter from the Assistant Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to equalize certain benefits between and among members of the Armed Forces of the United States, and for other purposes"; to the Committee on Armed Services.

1239. A letter from the Secretary of the Navy, transmitting a report of a proposed transfer of an experimental drydock to the Junior Midshipmen of America under authority of section 1 of the act of August 7, 1946 (60 Stat. 897; 34 U. S. C. 546f), pursuant to section 6 of the act of August 7, 1946 (60 Stat. 898; 34 U. S. C. 546k); to the Committee on Armed Services.

1240. A letter from the Secretary of State, transmitting the fourth report regarding the Yugoslav emergency relief assistance program, pursuant to section 6 of Public Law 897 (the Yugoslav Emergency Relief Assistance Act of 1950), for the period from September 15, 1951, through December 15, 1951 (H. Doc. No. 392); to the Committee on Foreign Affairs, and ordered to be printed.

1241. A letter from the Acting Attorney General, transmitting a letter relative to the case of Tan Yap Eng of Tan Eng, file No. A-9537742 CR 34140, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of conference. S. 1851. An act to assist in preventing aliens from entering or remaining in the United States illegally (Rept. No. 1505). Ordered to be printed.

Mr. LANE: Committee on the Judiciary. H. R. 3098. A bill to amend sections 1331 and 1332 of title 28, United States Code, relating to amount in controversy; without amendment (Rept. No. 1506). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENTSEN: Committee on Interior and Insular Affairs. H. R. 3166. A bill to amend the act approved June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869), entitled "An act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes," to include other public purposes and to permit nonprofit organizations to lease public lands for certain purposes; with amendment (Rept. No. 1509). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRIS: Committee on Interior and Insular Affairs. H. R. 5577. A bill to declare that the United States holds certain lands in trust for the Stockbridge-Munsee Community, Inc., of the State of Wisconsin; with amendment (Rept. No. 1510). Referred to the Committee of the Whole House on the State of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HART: Committee on Merchant Marine and Fisheries. House Joint Resolution 363. Joint resolution to provide for the presentation of the Merchant Marine Distinguished Service Medal to Henrik Kurt Carlsen, master, steamship *Flying Enterprise*; without amendment (Rept. No. 1507). Referred to the Committee of the Whole House.

Mr. MORRIS: Committee on Interior and Insular Affairs. H. R. 4678. A bill authorizing the Secretary of the Interior to issue a patent in fee to Jack Bravo; without amendment (Rept. No. 1508). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 6984. A bill to grant foster children dependency status for Federal income-tax purposes; to the Committee on Ways and Means.

By Mr. BURLESON:

H. R. 6985. A bill to amend section 402 (f) of the Defense Production Act of 1950; to the Committee on Banking and Currency.

By Mr. CELLER:

H. R. 6986. A bill to amend the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, and to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, for the purpose of prohibiting loss leader sales; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 6987. A bill to provide for the award of certain public contracts to bidders from areas of very substantial labor surplus where their bids do not exceed by more than 5 percent the most advantageous bids submitted from other areas; to the Committee on the Judiciary.

By Mr. HAGEN:

H. R. 6988. A bill to provide an extension of time for claiming refund or credit of overpayments of income tax with respect to sales of livestock; to the Committee on Ways and Means.

By Mr. HOLIFIELD:

H. R. 6989. A bill to amend the act of May 31, 1940, entitled "An act to provide for a more permanent tenure for persons carrying the mail on star routes," so as to require the inclusion of certain stipulations in contracts for carrying the mails by motor vehicle; to the Committee on Post Office and Civil Service.

By Mr. KLEIN:

H. R. 6990. A bill to provide for the issuance of a special postage stamp in honor of Dr. Elizabeth Blackwell; to the Committee on Post Office and Civil Service.

By Mr. LESINSKI:

H. R. 6991. A bill to amend section 1310 of the Supplemental Appropriation Act, 1952; to the Committee on Post Office and Civil Service.

By Mr. MITCHELL:

H. R. 6992. A bill to require the payment of prevailing wage rates to employees of contractors under contracts with the Post Office Department for transportation of mail by motor vehicle; to the Committee on Post Office and Civil Service.

By Mr. MORRISON:

H. R. 6993. A bill to provide that the Postmaster General shall furnish flat-top stools









# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued March 14, 1952

For actions of March 13, 1952

82nd-2nd, No. 41

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

### CONTENTS

|                               |                             |                           |
|-------------------------------|-----------------------------|---------------------------|
| Adjournment.....7             | Forest lands.....13         | Property management.... 3 |
| Appropriations..1,8,30,32,38  | Forests.....25              | Prices.....35,36          |
| CCC storage.....17            | Housing.....27              | Reclamation.....26,30     |
| Daylight saving time.....24   | Immigration.....15          | Reorganization.....12     |
| Economic report.....16        | Irrigation.....14           | Resale price              |
| Egg and poultry prices....35  | Legislative program..... 8  | maintenance.....36        |
| Electric power.....19         | Livestock production.....31 | Rubber..... 4             |
| Electrification.....29        | Military training.....37    | Soil conservation....6,9  |
| Expenditures.....18           | Minerals.....25             | Tobacco marketing         |
| Farm bankruptcy.....10        | Monopolies..... 5           | quotas.....33             |
| Farm labor..... 2             | Nomination.....11           | TVA..... 6                |
| Foreign aid.....6,21,28       | Personnel.....1,22,39       | Vegetables.....23         |
| Foreign aid appropriations.38 | Pork prices.....20          | Water utilization.....34  |

**HIGHLIGHTS:** Both Houses agreed to conference report on wetback-entry bill. Ready for President. House passed 3rd supplemental appropriation bill. Reduced pay items 10%. Modified Whitten rider. House committee ordered reported bills to amend GSA Act and give GSA control over Government vehicles and furniture. Senate confirmed nomination of Essate to be Production Credit Commissioner.

### HOUSE

1. **THIRD SUPPLEMENTAL APPROPRIATION BILL, 1952.** Passed with amendments this bill, H. R. 6947 (pp. 2317-36).

Agreed, 141-58, to an amendment by Rep. Davis, Ga., to reduce by 10% the amounts carried in the bill for Pay Act costs except that those for the Post Office Department were reduced by only 1% (pp. 2328-9, 2336).

Agreed to an amendment by Rep. Whitten, Miss., to amend the so-called Whitten personnel rider as follows: Providing that "any agency may promote any employee permanently to a position if such promotion will not increase the number of employees holding permanent positions in the grade of such position in such agency above the number in such grade in such agency prior to September 1, 1950: Provided further, That permanent promotions may be made to any position in a category for which the Civil Service Commission authorizes permanent appointments under the terms hereof." Also amendment of the limitations on the rapidity of promotions so that they do not apply to a person who "is eligible for appointment, in accordance with a regular appointment system or procedure established prior to September 1, 1950, to a higher grade position outside the competitive civil service" or to a person "being advanced to a grade level not exceeding that for which he had previously established eligibility as required by the terms hereof: Provided further, That, notwithstanding the provisions hereof, and in order to avoid undue hardship or inequity, the Civil Service Commission, when requested by the head of the agency involved, may authorize promotions in individual cases of meritorious nature." (pp. 2329-35.)

Agreed to an amendment by Rep. Meader, Mich., to provide that "No part of any appropriation contained in this act shall be used for publicity or

propaganda purposes not heretofore authorized by the Congress" (p. 2335).

Agreed, 158-70, to an amendment by Rep. Fogarty, R. I., (previously agreed to in Committee of the Whole), to restore the estimate of \$825,000 for the Small Defense Plants Administration (p. 2336).

Rejected, 115-127, an amendment by Rep. Fogarty to set up a \$10,000,000 revolving fund for this agency (pp. 2317-27).

2. FARM LABOR. Both Houses agreed to the conference report on S. 1851, to assist in preventing aliens from entering or remaining in the U. S. illegally (pp. 2303, 2314-6). This bill will now be sent to the President.
3. PROPERTY MANAGEMENT. The Expenditures in the Executive Departments Committee voted to report (but did not actually report) with amendments H. R. 4924, to authorize GSA to establish and operate motor-vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, etc.; and H. R. 5350, amending the Federal Property and Administrative Services Act of 1949 (p. D208).
4. RUBBER. The Armed Services Committee reported without amendment H. R. 6787, to extend the Rubber Act of 1948 (H. Rept. 1513) (p. 2344).
5. MONOPOLIES. The Judiciary Committee reported with amendment H. R. 6925, to amend the Sherman Anti-Trust Act of 1890 (H. Rept. 1516) (p. 2344).
6. SOIL CONSERVATION; FOREIGN AID; TVA. Rep. Hoffman, Mich., claimed PMA committee-men encourage farmers to take soil-conservation payments when the farmers are not interested, and criticized the foreign-aid program and the TVA's method of awarding contracts. (pp. 2335, 2339-40).
7. ADJOURNED until Mon., Mar. 17 (p. 2344).
8. LEGISLATIVE PROGRAM. The Appropriations Committee was authorized to file a report on the independent offices appropriation bill at any time until midnight tonight, and it was announced that the bill will be taken up on the floor of the House next Wed. Rep. Cannon said, "We expect to dispose of the bill next week, and we expect to dispose of two additional appropriation bills the following week." Majority Whip Priest announced that the consent calendar will be considered Mon and the private calendar Tues. Regarding the time of a congressional adjournment, he said: "...it is my hope and feeling that certainly we can finish by early July, if we keep on going along as well as we have." (pp. 2336, 2338.)

#### SENATE

9. AGRICULTURAL CONSERVATION PROGRAM. The Agriculture and Forestry Committee reported with amendment S. 2569, to amend the Soil Conservation and Domestic Allotment Act to provide for a 2 year continuation of this program (S. Rept. 1305) (p. 2260).
10. FARM BANKRUPTCY. The Judiciary Committee reported with amendment S. 25, to provide a farm bankruptcy title for the Bankruptcy Act (S. Rept. 1303) (p. 2260).
11. NOMINATION. Confirmed the nomination of Arthur T. Esgate, to be Production Credit Commissioner (p. 2313).
12. REORGANIZATION. Rejected, 27 to 53, S. Res. 285, which would have disapproved Reorganization Plan No. 1, 1952, relating to the Bureau of Internal Revenue



gross incompetence. Their second and also serious failing was a devotion to political interests which transcended their loyalty to the revenue service and caused them to engage in petty and sometimes criminal manipulations. In these they were encouraged and protected by the complacency and indifference of an inept top administration in Washington.

Mr. President, there is the crux of the corruption. It lies in those in high places who have not only encouraged it but have protected it, according to Representative KING, who said he supports the plan.

Senators who claim that the plan would remove politics from the machinery of tax collection are making a grave mistake indeed. They are crucifying the little collector whose nomination the Senate has the authority to confirm. If we approve the plan we would be taking the political power away from ourselves, away from the control of this constitutional body, and concentrating it in the higher echelon of what he terms "inept" management to which and which he says has protected and encouraged it by "complacency and indifference" we will not clean up corruption by doing that.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. HUMPHREY. Mr. President, I suggest that the Senate vote.

Mr. MCLELLAN. That is satisfactory to me. I yield back the remainder of my time.

Mr. HUMPHREY. I yield back the remainder of my time.

The VICE PRESIDENT. All time for debate has expired.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

|               |                 |              |
|---------------|-----------------|--------------|
| Aiken         | Hayden          | McMahon      |
| Anderson      | Hendrickson     | Millikin     |
| Bennett       | Hennings        | Monroney     |
| Brewster      | Hickenlooper    | Moody        |
| Bricker       | Hill            | Morse        |
| Butler, Md.   | Hoey            | Mundt        |
| Butler, Nebr. | Holland         | Murray       |
| Byrd          | Humphrey        | Neely        |
| Cain          | Hunt            | Nixon        |
| Capehart      | Ives            | O'Connor     |
| Carlson       | Johnson, Colo.  | O'Mahoney    |
| Case          | Johnson, Tex.   | Pastore      |
| Chavez        | Johnston, S. C. | Robertson    |
| Clements      | Kefauver        | Russell      |
| Connally      | Kem             | Saltonstall  |
| Cordon        | Kilgore         | Schoepfel    |
| Dirksen       | Knowland        | Seaton       |
| Douglas       | Langer          | Smathers     |
| Duff          | Lehman          | Smith, Maine |
| Dworshak      | Lodge           | Smith, N. J. |
| Eastland      | Long            | Smith, N. C. |
| Eaton         | Magnuson        | Sparkman     |
| Ellender      | Malone          | Stennis      |
| Ferguson      | Martin          | Thye         |
| Flanders      | Maybank         | Tobey        |
| Frear         | McCarran        | Underwood    |
| Fulbright     | McCarthy        | Watkins      |
| George        | McClellan       | Welker       |
| Gillette      | McFarland       | Wiley        |
| Green         | McKellar        | Williams     |

The VICE PRESIDENT. A quorum is present.

The question is on the adoption of Senate Resolution 285.

The Chair will state that resolutions on reorganization plans create somewhat of a reverse situation, in that in the present case the resolution is a resolution of

disapproval of plan No. 1 submitted by the President.

Therefore, Senators who favor the President's reorganization plan will vote "nay" on the resolution; and Senators who are opposed to the reorganization plan will vote "yea" on the resolution.

The yeas and nays have not been ordered.

Mr. HUMPHREY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from Connecticut [Mr. BENTON] is absent on official business, acting as chairman of the Subcommittee on Taxation of the Senate Small Business Committee in connection with the opening of hearings today at Bridgeport, Conn. On this vote the Senator from Connecticut is paired with the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from Connecticut would vote "nay," and the Senator from North Dakota would vote "yea."

The Senator from Oklahoma [Mr. KERR] is absent on official business.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. JENNER], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

On this vote the Senator from North Dakota [Mr. YOUNG] is paired with the Senator from Connecticut [Mr. BENTON]. If present and voting the Senator from North Dakota would vote "yea," and the Senator from Connecticut would vote "nay."

The yeas and nays resulted as follows:

#### YEAS—37

|               |                 |              |
|---------------|-----------------|--------------|
| Bennett       | Fulbright       | McClellan    |
| Butler, Nebr. | George          | McKellar     |
| Cain          | Hayden          | Millikin     |
| Capehart      | Hickenlooper    | Mundt        |
| Carlson       | Hoey            | Nixon        |
| Case          | Holland         | Russell      |
| Chavez        | Johnson, Colo.  | Schoepfel    |
| Cordon        | Johnston, S. C. | Smith, N. C. |
| Dworshak      | Long            | Stennis      |
| Eastland      | Martin          | Watkins      |
| Eaton         | Maybank         | Welker       |
| Ellender      | McCarran        |              |
| Flanders      | McCarthy        |              |

#### NAYS—53

|             |               |              |
|-------------|---------------|--------------|
| Aiken       | Humphrey      | Murray       |
| Anderson    | Hunt          | Neely        |
| Brewster    | Ives          | O'Connor     |
| Bricker     | Johnson, Tex. | O'Mahoney    |
| Butler, Md. | Kefauver      | Pastore      |
| Byrd        | Kem           | Robertson    |
| Clements    | Kilgore       | Saltonstall  |
| Connally    | Knowland      | Seaton       |
| Dirksen     | Langer        | Smathers     |
| Douglas     | Lehman        | Smith, Maine |
| Duff        | Lodge         | Smith, N. J. |
| Ferguson    | Magnuson      | Sparkman     |
| Frear       | Malone        | Thye         |
| Gillette    | McFarland     | Tobey        |
| Green       | McMahon       | Underwood    |
|             | Monroney      | Wiley        |
|             | Moody         | Williams     |
|             | Morse         |              |

#### NOT VOTING—6

|         |        |       |
|---------|--------|-------|
| Benton  | Jenner | Taft  |
| Bridges | Kerr   | Young |

The VICE PRESIDENT. On this vote the yeas are 37 and the nays are 53.

Under the law, a majority of all Senators elected and sworn in must vote for the resolution of disapproval in order that it may carry.

Therefore the resolution of disapproval is disagreed to; and Reorganization Plan No. 1 of 1952 goes into effect at 12:01 a. m. on the morning of March 15.

#### PREVENTION OF ILLEGAL ENTRY OF ALIENS—CONFERENCE REPORT

Mr. KILGORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally. I ask unanimous consent for the immediate consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1851) entitled "An act to assist in preventing aliens from entering or remaining in the United States illegally," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

On page 3, beginning on line 10 and ending on line 23, strike out paragraph (c).

And the House agree to the same.

HARLEY M. KILGORE,  
JAMES O. EASTLAND,  
WARREN G. MAGNUSON,  
HOMER FERGUSON,  
WILLIAM E. JENNER,

*Managers on the Part of the Senate.*

EMANUEL CELLER,  
FRANCIS E. WALTER,  
LOUIS E. GRAHAM,

*Managers on the Part of the House.*

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the report was considered and agreed to.

#### MUTUAL SECURITY PROGRAM

Mr. RUSSELL. Mr. President, by direction of the Senate Committee on Armed Services, I desire to make a brief announcement.

The VICE PRESIDENT. The Senator from Georgia is recognized.

Mr. RUSSELL. Heretofore in the consideration of the mutual security program, particularly that portion of the program dealing with military assistance, the Senate Committee on Foreign Relations and the Committee on Armed Services, sitting jointly, have proceeded to consider the matter, under a unanimous-consent agreement obtained in the Senate.

There is, of course, ample room for argument and controversy as to proper jurisdiction over legislation of that character. The Armed Services Committee had never raised any issue as to its right to consider that measure, because of the fact that arrangements had been worked out for hearings by the two committees,



sitting jointly. As proof of the thin line of demarcation between the jurisdiction of the two committees, it may be pointed out that, last year, the Vice President referred the message relative to this subject to the Senate Committee on Armed Services.

The Senate Committee on Armed Services has no desire to interfere with the operations of the Senate Committee on Foreign Relations, but in view of the fact that no agreement has been reached this year for consideration of the bill by the two committees, sitting jointly, I wish to serve notice on the Senate that, when the Senate Committee on Foreign Relations shall have reported the bill to this body, the Senate Committee on Armed Services will request a directive by the Senate to examine the bill.

The members of the Senate Committee on Armed Services, if I may state the case briefly, feel that such a request is justified in view of the fact that more than 85 percent of the funds which are authorized in that proposed legislation relate to the procurement of military equipment, and to the distribution of the military equipment which is produced in this country, and its division between that which goes to the Armed Services of the United States and that which goes to our various associates and allies.

I shall not discuss the question at length. I merely wish to apprise the Senate of the fact that the Senate Committee on Armed Services will respectfully request the Senate for a directive that that committee examine this proposed legislation when it is reported by the Senate Committee on Foreign Relations.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. Mr. President, I think the able Senator from Georgia, the chairman of the Armed Services Committee, has made a very important and significant statement, and he has done so acting on behalf of the full Armed Services Committee.

I desire merely to add that, as the Senator from Georgia has pointed out, more than 85 percent of the program deals directly with the National Defense Establishment, particularly the disposition of excess or nonexcess military equipment, which has a direct effect upon the armed services of the United States. That is a matter which is clearly within the jurisdiction of the Armed Services Committee; and I believe that if arrangements are not made to have hearings by the two committees, sitting jointly, there is an obligation upon the Armed Services Committee and the Senate to see to it that the bill is rereferred to the Armed Services Committee for its consideration.

Mr. RUSSELL. I thank the Senator. Mr. CONNALLY and Mr. ELLENDER addressed the Chair.

The VICE PRESIDENT. The Senator from Texas.

Mr. CONNALLY. Mr. President, I have listened with interest to the remarks of the Senator from Georgia and the Senator from California, who are

members of the Armed Services Committee. It is the attitude of the Senate Committee on Foreign Relations that this measure was referred to that committee; and, inasmuch as it was referred to that committee, we expect to do our duty in connection with it. What the Senate may do after we submit our report will be up to the Senate. But I remind Senators that this is a matter affecting foreign relations, if there ever was one. It deals only with matters affecting foreign relations, and it is pending before the Committee on Foreign Relations. After the committee shall have completed its consideration and efforts, if the Senate then wants to rerefer the bill to the Committee on Armed Services, that will be the business of the Senate.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. KNOWLAND. Does not the Senator agree that when the previous legislation was before the Senate, it was referred to the Committee on Foreign Relations and the Committee on Armed Services, sitting jointly?

Mr. CONNALLY. I may say that was done with our consent. We were willing to do it.

Mr. KNOWLAND. Are we to understand that the Senator is withholding his consent at this time?

Mr. CONNALLY. No consent is called for at this time. The Senator from Georgia did not request any consent; and I thought he was the chairman of the committee, not the Senator from California.

Mr. KNOWLAND. I merely wanted to clear the record by ascertaining whether the Senator from Texas was objecting to this bill being considered by the two committees, sitting jointly, as has been done in the past.

The VICE PRESIDENT. The Chair will state for the information of the Senate that the previous bill was, by unanimous consent, referred to both committees. No such consent was requested in this case, and the Chair referred the measure to the Committee on Foreign Relations, because that is the committee to which it should have been referred, if only one committee were to consider it.

Mr. CONNALLY. I should like to reply to the Senator from California that there is no unanimous-consent request before the Senate. Of course I have not objected when there was no request. If the Senator would listen and pay attention to his duties, he would know that without my having to tell him.

Mr. McFARLAND. Mr. President, will the Senator from Texas yield to me?

Mr. CONNALLY. I yield.

Mr. McFARLAND. Mr. President, I realize, of course, that the bill has been referred to the Foreign Relations Committee. Ordinarily, I do not believe it is advisable to have a bill considered by two committees. I think the committee which has the major interest should be the committee to consider proposed legislation. However, this bill involves questions in which both committees are intensely interested. A part of it relates

to the defense of the United States, and naturally the Armed Services Committee would ordinarily have jurisdiction of that feature. I suggested last year that the bill then before the Senate be divided so that it could be considered by the Armed Services Committee and the Foreign Relations Committee.

Under the circumstances, since we are trying to make progress and to get through as early as possible, I hope the chairmen of the two committees will get together and try to work the matter out so that each committee will not have to go over the same evidence.

Mr. CONNALLY. The Senator is "laying down" on me.

Mr. McFARLAND. I would not say I am "laying down" on anyone. I am trying to expedite the business of the Senate.

Mr. CONNALLY. Mr. President, the bill has been referred to the Committee on Foreign Relations, and so long as it is before that committee we shall do our duty by it. On two previous occasions our committee agreed with the Committee on Armed Services that the latter committee might have subsequent jurisdiction of a bill after we had acted upon it; and we have invited that committee to sit with us during the hearings. They were present today, and they will be there tomorrow if they want to come. They have been invited.

There is no question now pending, and I do not at this time want to make any agreement about voting in the Foreign Relations Committee by members of the Committee on Armed Services. If the question comes up later, it will be up to the Senate.

The VICE PRESIDENT. Under the rules of the Senate, the Chair can refer a bill to only one committee, no matter what the bill may be. When a bill has been referred to two committees it has to be by unanimous consent. I think all Senators understand that.

Mr. RUSSELL. Mr. President, I merely wish to point out to the Senate that when the first measure providing for military assistance to our allies and associates overseas was sent to Congress the question of the jurisdiction over the bill was discussed between the chairman of the Senate Committee on Armed Services and the chairman of the Senate Committee on Foreign Relations. The Senator from Texas, as a result of the discussions, requested unanimous consent that the bill be considered jointly by those two committees.

When the second bill providing for the implementation of the military program, along with economic aid, came before the Senate, a similar course was followed. Over the years the percentage of funds which are devoted wholly and exclusively to military assistance as compared with funds which may be for economic assistance has increased, and the percentage this year going to military assistance is higher than it was in the last session.

Of course, Mr. President, I shall not ask unanimous consent that the two committees sit together. It would be far from my purpose to have the Armed Services Committee seek to intrude into another committee where it is not wel-



September 23, 1949, that his offer of \$205,000 had been accepted, subject to certain terms and conditions, including manner of payments, clearance by the Department of Justice, and right of entry and assumption of custody of the facility as of 12:01 a. m. on October 1, 1949. An amendment was made to the offer of acceptance changing the date of assumption of custody of the facility to October 22, 1949, which amendment was accepted by Jack Motley, president, Baton Rouge Warehouse Co., Inc.

5. Rentals: At the time the War Assets Administration disposed of the facility rentals were being received in the sum of \$1,264 per month from private enterprise. There was also a charge of \$3 per railroad car for switching which amount was not converted to the Government but rather to the railroad companies.

6. Representative of the Government: The sale of this facility was conducted by Karl E. Wallace, regional director, War Assets Administration, who now holds the position of regional director, General Services Administration, Dallas, Tex.

7. Purpose of construction of facility: The files reflect that the facility was declared surplus by the Corps of Engineers on June 5, 1947, and that its prior use had been an engineering depot and backup storage center for the New Orleans Port of Embarkation.

8. Leasing or repurchase of the facility by the Government: Our records reflect no information relating to any current interest of the Department of the Army in this site.

9. Storage of Commodity Credit Corporation commodities: Records of this administration do not reflect any arrangements for storage contracts for the Commodity Credit Corporation during the period that GSA, or its predecessor, War Assets Administration, had custody of this property.

It is suggested that you may wish to get in touch with the Commodity Credit Corporation for a report concerning any storage

contracts which may have been executed at this site.

Sincerely yours,

JESS LARSON.

#### EXECUTIVE SESSION

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE REPORTS OF COMMITTEES

The following reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Sundry postmasters; favorably.

By Mr. JOHNSTON of South Carolina, from the Committee on the District of Columbia: Earl Wayne Beck, of Missouri, to be Recorder of Deeds, District of Columbia, vice Marshall L. Shepard, resigned; adversely.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

#### FARM CREDIT ADMINISTRATION

The legislative clerk read the nomination of Arthur T. Esgate to be Production Credit Commissioner of the Farm Credit Administration.

Mr. McFARLAND. Mr. President, I have known Arthur Esgate for 33 years. He was formerly cashier of the Valley National Bank in Arizona, and was recognized as an outstanding banker in my State.

He has for the past several years worked for the Farm Credit Administration, and has earned this promotion.

He is a man of integrity and ability. It is with pleasure that I move the confirmation of his nomination to be Production Credit Commissioner of the Farm Credit Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be immediately notified.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of George F. Kennan to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified forthwith.

#### RECESS

Mr. McFARLAND. As in executive session, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Friday, March 14, 1952, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 13 (legislative day February 25), 1952:

#### FARM CREDIT ADMINISTRATION

Arthur T. Esgate, of Arizona, to be Production Credit Commissioner of the Farm Credit Administration.

#### DIPLOMATIC AND FOREIGN SERVICE

George F. Kennan, of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of Soviet Socialist Republics.



# House of Representatives

THURSDAY, MARCH 13, 1952

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou Eternal Presence, as we pray together, we would thank Thee for the gift of a new day, challenging us to lay hold of those ideals and principles which invest life with dignity and worth.

Inspire us with a more vivid and satisfying sense of the great divine realities and resources as we face the many opportunities that beckon us to heroic endeavor and noble service.

We humbly confess that we are so slow to see that our human life has no standards and stability, no defense against despair and defeat, no bulwarks against communism and chaos unless we cultivate faith in Thee and in the moral and spiritual values.

Grant that during this day we may yield ourselves to the spirit of our blessed Lord whose mind is wiser than our own, whose strength is invincible, and whose peace will keep us calm and courageous.

Hear us in His name. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## ALIENS ENTERING OR REMAINING IN THE UNITED STATES ILLEGALLY

Mr. CELLER. Mr. Speaker, I call up the conference report on the bill (S. 1851) to assist in preventing aliens from entering or remaining in the United States illegally, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of March 11, 1952.)

Mr. CELLER. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, I ask your indulgence for a moment not to discuss this conference report but to permit me to draw the attention of the House to the propaganda drive that is being engaged in now by certain members of the American Jewish Congress opposed to the Immigration and Nationality Code. This code, as you know, was set down on the program for consideration by the House for today and tomorrow.

I say "propaganda drive" advisedly, because the attacks made on this code are without foundation. Some time ago a Dr. Israel Goldstein, president of the

American Jewish Congress, made a speech in New York in which he attacked this measure. Because of the reporting of his speech I wrote a letter to the editor of the New York Times and I should like to read it to you, because I am sure that after you have heard the explanation I make you will be thoroughly convinced that this Immigration and Naturalization Code is a progressive measure designed to protect first, the interests of the United States, and second, the law-abiding alien who desires to live among us. In my letter of February 20 I stated:

DEAR MR. EDITOR: Permit me to express my astonishment at the revoltingly misleading statements attributed to Dr. Israel Goldstein, president of the American Jewish Congress, by the New York Times on February 20, 1952, regarding the new Immigration and Nationality Code proposed in my bill, H. R. 5678, pending before the House of Representatives.

It is hard to believe that the president of the American Jewish Congress would see fit to present to the members of his own national executive committee such a completely false picture of this important legislation.

There is not a scintilla of truth to the statement that my bill places "a legislative seal of inferiority on all persons of other than Anglo-Saxon origin and would result in millions of naturalized Americans having to live in permanent fear of deportation or loss of citizenship for the most trivial and frivolous of reasons."

The equality of all races, the final repeal of all racial discrimination now contained in our immigration and naturalization laws, as well as the repeal of all discrimination based on sex, nationality, etc., are the basic features of my bill. At no point would my measure provide for the deportation of a United States citizen, native-born or naturalized.

Every legal authority consulted on my bill—and over 60 witnesses testified before a joint House-Senate committee—agrees that it represents a vast improvement over the existing law and jurisprudence regarding the availability to an alien of fair administrative and judicial practices and procedures.

Similarly, the provisions of my bill permitting the admission of reformed totalitarians and subversives have been unanimously recognized as one of the most laudable features of H. R. 5678.

I do not feel, Mr. Editor, that I am entitled to taking up more of your valuable space. I could go on nailing down more of the untrue statements made by Dr. Goldstein, however, I prefer to refer him to the bill itself and to the accompanying report (No. 1365), which explains my measure on 328 printed pages.

This much, however, I want to stress for the benefit of the members of the American Jewish Congress who might have been misled by the statements attributed to their president. The only categories of aliens who, under my bill, will find it more difficult to remain in our midst will be the criminals, the narcotic peddlers, and the subversives

(incidentally, as recommended by the Kefauver committee). If Dr. Goldstein, as reported by the New York Times, dislikes the provisions providing better protection for the citizens of this country, I would refrain from discussing this matter with him.

Sincerely yours,

FRANCIS E. WALTER,  
Member of Congress, Chairman.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. JAVITS. I had a wire this morning from Dr. Walter Van Kirk who is a distinguished church leader stating that this bill, in his opinion, badly needed amendment. My recollection is, and I had no idea that this would be discussed this morning, but I have a similar wire either from the Lutheran or Methodist Church organization. Also I would like to ask the gentleman whether he does not agree that there are at least two major changes in this law far more substantive than the gentleman has mentioned; one of which puts a quota limitation of 100 on Negroes coming from the British colonies in the Caribbean, a change in existing law; and the other one uses 50 percent of the quota for people with special skills—which is a very great change in the existing quota law.

Mr. WALTER. Of course, I would like to call the gentleman's attention to the fact that this is the principle of using 50 percent of the quota for people needed in the United States. But, if that entire 50 percent is not used in that category, then the unused numbers go down to the next category which replies to the objections that these Jewish organizations make much of, that families are being separated. That very provision will make it possible for people to reunite their families.

To answer the rest of the gentleman's question so far as the representations made by other religious groups are concerned, I am well familiar with them. They are interested in finding a way to take care of the 7,000 Lithuanians, Latvians, other Balts, and a certain number of Poles whose names were in the pipeline at the end of the displaced-persons program, but to whom visas could not be issued because of the intervening expiration date of the law. They feel that perhaps somehow, having been misled as they have been, that situation can be dealt with in this code. I believe that this is a matter which should be considered in separate legislation, being entirely unrelated to the permanent code.

Mr. JAVITS. I have no doubt we will have a chance to debate the bill, but the only point I had in mind was to point out to the House that this opposition is not confined to the one group, which the gentleman mentioned, and that there



are other very important substantive parts of the bill.

Mr. WALTER. I might call your attention to the fact that Mr. Harry N. Rosenfield, Commissioner of the Displaced Persons Commission and incidentally a brother-in-law of a lawyer who is stirring up all this agitation, in a speech recently said:

The proposed legislation is America's Nuremberg trial.

It is "racious" and archaic, based on the theory that people with different styles of noses should be treated differently.

I say that is a most unfair statement to make, and designed to arouse the sort of feelings that we ought not to know in America.

Mr. HOFFMAN of Michigan. The gentleman referred to propaganda that was being put out against the bill. Were you referring to these releases which have been coming in to Members of the House from some seven or eight different organizations?

Mr. WALTER. Yes. I have a clipping from the Associated Press here; 13 religious, civic, and veterans' organizations are opposing the omnibus immigration bill on the ground that it would tear down precious rights of American citizens. The group said in a letter to House Members that the measure had not been given adequate hearings.

In the same mail that brought that article to me comes the People's Voice, which, incidentally, is a Communist publication, in which they describe me as "the possessor of an outstanding anti-labor record." The article referring to the immigration bill goes on to say: "Despite lengthy hearings." These organizations, according to the Associated Press, protest that there were not adequate hearings, and this Communist sheet talks about the lengthy hearings.

The fact of the matter is that this legislation was under consideration for nearly 3 years. A joint subcommittee of the Senate and House heard 56 witnesses and received 78 statements. Almost all of the testimony that we heard was truly constructive. Some of it was critical of certain parts of the three bills pending before the joint subcommittee. Some of it was outright laudatory.

Upon the conclusion of the hearings, the members and the staff of the Senate and House subcommittees went very carefully over the entire testimony and abstracted from it concrete suggestions for the purpose of drafting amendments. More than 300 amendments were then considered in a lengthy series of conferences lasting from June until October 1951. A great number of amendments were then incorporated in the bills S. 2550 and H. R. 5678, the latter having been further amended in the Committee on the Judiciary. I can hardly think of more painstaking study and consideration being accorded any legislative measure.

During the hearings, there were only two statements made which were entirely hostile to the whole bill. One by the American Jewish Congress and the other by the representative of the Association of Immigration and Nationality

Lawyers, represented by an attorney who is also advising and counseling the American Jewish Congress. He is not interested in legislation. He is interested in litigation.

Mr. HOFFMAN of Michigan. And fees.

Mr. WALTER. And fees.

Mr. HOFFMAN of Michigan. Will the gentleman yield further?

Mr. WALTER. I yield.

Mr. HOFFMAN of Michigan. I do not know why you are disturbed about this propaganda, because every Member of the House knows you have always been a friend of organized labor, and you have devoted a lot of time and ability to drafting this bill and holding hearings. What I wanted to ask you about is this: Why did we not get this bill yesterday? Is that postponement to help these fellows?

Mr. WALTER. I do not think it was because I was in Detroit and therefore unable to object to the request that it go over, but the bill was set down for today and tomorrow.

Mr. HOFFMAN of Michigan. I would have been glad to object for you had I known you wanted to do so.

Mr. WALTER. I was too busy exposing the Communist conspiracy in the gentleman's State of Michigan. I could not be here.

Mr. HOFFMAN of Michigan. I would like to give you a couple of photographs that were put in the Federal court, naming some of these 600 at Briggs, as Communists.

Mr. WALTER. As a matter of fact, one of the editors of this sheet, the People's Voice, was one of the witnesses before our committee.

Mr. HOFFMAN of Michigan. You do not refer to our distinguished State senator up there, do you?

Mr. WALTER. Yes; of course, I do.

Mr. HOFFMAN of Michigan. He said that he would not answer whether he was a Communist?

Mr. WALTER. Yes.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Ohio.

Mr. JENKINS. I do not think the gentleman need to worry about what anybody might say about him.

Mr. WALTER. The only thing I am disturbed about is this: I spent the entire morning answering the telephone, and I thought that by making a brief statement here I would be saved the necessity of sitting close to my phone for the balance of the day.

H. R. 5678 is the outgrowth of over 4 years of studies, investigations, conferences with various departments of the administration and extensive hearings. It is a codification and revision of all immigration and nationality laws, never previously attempted. The extensive and searching report on the bill is House Report No. 1365.

It makes these basic changes in our immigration, nationality, and naturalization laws:

First. The bill eliminates all racial bars to immigration for naturalization.

Regardless of what some critics of the bill say, at no point would the eligibility of any person to come to the United States and to become an American citizen depend on this person's race. There are only numerical limitations imposed on immigrants, and their ability to meet certain economic, security, and health standards.

Second. The bill eliminates all discrimination between the sexes with respect to immigration and naturalization.

Third. The bill introduces a system of selective immigration by giving special preference to skilled persons whose services are urgently needed in this country.

Fourth. Taking due cognizance of the existence of a world-wide Communist conspiracy, hostile to the United States and to the free world, the bill strengthens requirements for security screening and makes it possible both to prevent the entry of Communist conspirators and to weed out those who have infiltrated into our midst.

Fifth. Taking notice of the shocking percentage of aliens in the recently investigated activities of the criminal element, the bill broadens the grounds for exclusion and deportation of criminals, violators of the narcotic prohibitions, stowaways, and deserting seamen.

Sixth. It tends to curtail certain lax practices that have developed through the years in the adjustment of the immigration status of aliens who have entered this country illegally or who are subject to deportation after entry. In this and many other respects the bill favors the law-abiding alien who desires to come to the United States when permitted to do so by the law. But it certainly does not favor—as some of its critics would apparently prefer—the alien who sneaks in in violation of the law, gets his status adjusted, and takes the place of his countryman who has been patiently awaiting outside for many years for an opportunity to enter the "promised land."

Seventh. The bill continues the existing quota system and the determination of the annual quota for natives of each quota area is based on the United States census of 1920. The Bureau of the Census has been requested by the committee to submit as soon as possible an analysis of the 1940 and 1950 censuses for possible future revision of the 1920 basis. However, that will take over a year to obtain the necessary analysis and, therefore, the 1920 basis should not be altered at the present time.

Eighth. As a consequence of the repeal of racial bars, and taking into consideration recent political changes which have occurred in the world, 12 new quota areas will be established as follows: Burma, Cambodia, Ceylon, Indonesia, Korea, Laos, Libya, Pakistan, Somaliland, Vietnam, Yemen, and the Asia-Pacific triangle.

Each of those 12 quota areas would receive a quota of 100 annually. The new quota for Japan will be 185.

The net result of a mathematical formula establishing annual quotas, and of



the creation of 12 new quota areas, would be that the total annual quota of 154,277 would be increased to 154,657.

Within this quota system, based on the principle of national origin, the bill provides both for selective immigration and for the safeguarding of our old principle of keeping families united.

Ninth. The bill provides a fully sufficient protection for American labor but at the same time, it has several provisions permitting the admission of foreign workers temporarily if their services are urgently needed in certain areas. It is sincerely hoped that these provisions will at last permit us to arrive at an equitable and sensible solution of the troublesome problem of Mexican farm labor.

The bill makes fewer changes with respect to nationality and naturalization than immigration because of the more recent revision of the nationality code in 1940.

First. The bill eliminates race as a bar to naturalization, thus making all lawful permanent residents of the United States who can meet the qualifications, specifically those relating to their good moral character and loyalty, eligible to become American citizens.

Second. The bill lowers the minimum age for filing a petition for naturalization from 20 to 18 years. It makes the so-called first papers optional and not a prerequisite to naturalization as the present law requires.

Third. It retains the 5-year residence requirement for naturalization but it requires only 3 years of such residence in the case of the spouse of an American citizen.

Fourth. The provisions relating to the loss of citizenship remain basically the same.

Mr. JENKINS. If that helps you any, we are glad you have done it, but I rose to bring out this proposition: Whenever you discuss the matter of reuniting families, that is an old provision in the immigration law, and it has been a fine provision to allow families to reunite themselves by being placed at the head of the quota. That is a fine provision and it is an old provision.

Mr. WALTER. Yes. And we have extended it to include brothers and sisters of American citizens.

Miss THOMPSON of Michigan. Mr. Speaker, with the gentleman yield?

Mr. WALTER. I yield to the gentleman from Michigan.

Miss THOMPSON of Michigan. I have been a member of the Judiciary Committee, Subcommittee No. 1, for a very short time.

During that time we have had before us this bill that has been presented here. I have not had time to go through the bill as thoroughly as I expect to, but I do want to say that our chairman, the gentleman from Pennsylvania [Mr. WALTER], has been one of the most hard-working and one of the most conscientious gentlemen it has been my privilege to know, and I feel that he merits the confidence and respect of every Member of this great House of Representatives.

Mr. CELLER. Mr. Speaker, we are considering this morning, of course, the

conference report on the wetback bill. We have been diverted considerably, but having heard the statement made by the gentleman from Pennsylvania I cannot refrain from answering him. I have great respect for the gentleman from Pennsylvania. He has done a splendid job in fashioning this Immigration and Naturalization Code. That code which will be presented to us in my estimation marks a major advance in immigration and naturalization legislation. But in turn it has numerous faults. It contains numerous disparities and discriminations. It is not perfect; it can be perfected. It can be bettered, and I propose to offer certain amendments to the bill when it comes before the House to improve it, to liberalize it, to remove considerable of the injustice now resident therein. The gentleman spoke untowardly when he harshly criticizes those who in turn criticize his bill. He might well be more tolerant.

I think it is a bit unfortunate that the gentleman from Pennsylvania might have been carried far away in his enthusiasm for his bill and his resentment against criticism. He should not have overemphasized as he did the people of one particular faith who are opposing the bill.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. WALTER. That is only one group; there are other very fine Jewish groups who endorse the bill.

Mr. CELLER. That is correct, and I was going to mention that. So that in that group itself there are some who may agree with the bill and some who may disagree with the bill. Sharp objections to the bill are not limited to the American Jewish Congress, a very creditable organization, and other racial and religious fronts. I received, for example, an important communication this morning from the executive director of the National Lutheran Council which reads as follows:

NEW YORK, N. Y., March 12, 1952.  
HON. EMANUEL CELLER,  
House of Representatives,  
United States Congress,  
Washington, D. C.:

Please consider the serious restrictions now incorporated into pending omnibus codifications of immigration legislation. There are increased restrictions on those applying for entry and hazards of deportation are increased so that average potential immigrants are severely penalized. Such restrictions do not offer protection from subversives, but rather create an isolationist immigration policy for United States. The 154,000 quota numbers available annually are so distributed that approximately half are not used. We urge formula whereby unused quota numbers are made available for refugees' relatives and needed workers and also to cancel current mortgaged quotas.

PAUL C. EMPIE,  
Executive Director,  
National Lutheran Council.

This is a sample of communications objecting to that provision in the bill. I have received from various and diverse religious organizations, similar communications of protests. The Federal Council of the Churches of Christ in America, object to provisions of the bill; there

are similar protests from other organizations representing labor, notably the CIO.

I happen to know intimately well Dr. Israel Goldstein, eminent divine in New York, and the rabbi of one of the oldest congregations in America. He is an erudite scholar and a distinguished and patriotic citizen and divine. I think he has a right to voice his objections; but because he expresses his objections and voices that, which to the gentleman from Pennsylvania, might be unorthodox, does not lessen, in my book, his stature as a rabbi and an American. We should encourage freedom to express opinion whether for or against that which we espouse. I think some of the rabbi's objections are untenable, but that does not indicate that he has not the right to object. Much of what Rabbi Goldstein says is sound and well taken. Frankly, let us have more people like Rabbi Israel Goldstein who courageously and forthrightly take a position on the all-important subjects of immigration and naturalization. Frankly there has been to much apathy and disinterest generally on these subjects.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. JAVITS. I hope very much when we come to debate this bill that spirited advocacy and spirited opposition will not in any way be considered a criticism of the gentleman from Pennsylvania [Mr. WALTER] or anybody else. I would like to say that my respect for the gentleman from Pennsylvania equals that of anyone in this House. I have seen him in action on the displaced persons legislation and in connection with the Brussels Conference which was recently held. I have met him at home and abroad, and I think he is very seriously working toward the objectives which he considers most sincerely to be highly desirable. I hope very much because of some of the things that have been said here and the letters which the gentleman from Pennsylvania [Mr. WALTER] read, that the debate when it occurs will be on a high level.

Mr. CELLER. I yield to no one in my regard of the gentleman from Pennsylvania. We have worked together for almost two decades, we have worked ardently and faithfully on measures like immigration and others—all for the welfare of this country.

The SPEAKER. The question is on the conference report.

The conference report was agreed to. A motion to reconsider was laid on the table.

#### REPORT ON H. R. 6925

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a report on the bill H. R. 6925.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### SPECIAL ORDERS GRANTED

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the special









Public Law 283 - 82d Congress  
Chapter 108 - 2d Session  
S. 1851

AN ACT

All 66 Stat. 26.

To assist in preventing aliens from entering or remaining in the United States illegally.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8 of the Immigration Act of 1917 (39 Stat. 880; 8 U. S. C. 144), is hereby amended to read:

Immigration  
Act of 1917,  
amendment.

"SEC. 8. (a) Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who—

Prevention of  
illegal entry  
of aliens, etc.

"(1) brings into or lands in the United States, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in the United States, by any means of transportation or otherwise;

"(2) knowing that he is in the United States in violation of law, and knowing or having reasonable grounds to believe that his last entry into the United States occurred less than three years prior thereto, transports, or moves, or attempts to transport or move, within the United States by means of transportation or otherwise, in furtherance of such violation of law;

"(3) willfully or knowingly conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, in any place, including any building or any means or transportation; or

"(4) willfully or knowingly encourages or induces, or attempts to encourage or induce, either directly or indirectly, the entry into the United States of any alien, including an alien seaman, not duly admitted by an immigration officer or not lawfully entitled to enter or reside within the United States under the terms of this Act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding five years, or both, for each alien in respect to whom any violation of this subsection occurs: *Provided, however,* That for the purposes of this section, employment (including the usual and normal practices incident to employment) shall not be deemed to constitute harboring.

Penalty.

"(b) No officer or person shall have authority to make any arrest for a violation of any provision of this section except officers and employees of the United States Immigration and Naturalization Service designated by the Attorney General, either individually or as a member of a class, and all other officers whose duty it is to enforce criminal laws."

Authority to  
make arrests.

SEC. 2. The last proviso to the paragraph headed "Bureau of Immigration" in title IV of the Act of February 27, 1925 (43 Stat. 1049; 8 U. S. C. 110), as amended by the Act of August 7, 1946 (60 Stat. 865), is hereby further amended so that clause numbered (2) shall read:

All 66 Stat. 26.  
 Search of "2) within a reasonable distance from any external boundary  
 vessels, etc. of the United States, to board and search for aliens any vessel  
 within the territorial waters of the United States and any rail-  
 way car, aircraft, conveyance, or vehicle, and within a distance of  
 twenty-five miles from any such external boundary to have access  
 to private lands, but not dwellings, for the purpose of patrolling  
 the border to prevent the illegal entry of aliens into the United  
 States, and".

Approved March 20, 1952.